

of vacancies in said office, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

BEDELL, Vice-Chairman.

#### FORTY-FIFTH DAY.

(Monday, March 12, 1917.)

The House met at 9:30 o'clock a. m., pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

|                    |                   |
|--------------------|-------------------|
| Baker.             | Laas.             |
| Beard of Harris.   | Lacey.            |
| Beard of Milam.    | Laney.            |
| Beasley.           | Lange.            |
| Beason.            | Lanier.           |
| Bedell.            | Lee.              |
| Bertram.           | Low               |
| Blackburn.         | of Washington.    |
| Blackmon.          | McComb.           |
| Blalock.           | McDowra.          |
| Bledsoe.           | McFarland.        |
| Boner.             | McMillin.         |
| Brown.             | Martin.           |
| Burton of Rusk.    | Meador.           |
| Burton of Tarrant. | Mendell.          |
| Butler.            | Metcalf.          |
| Cadenhead.         | Miller of Austin. |
| Canales.           | Miller of Dallas. |
| Carlock.           | Moore.            |
| Clark.             | Morris.           |
| Cope.              | Murrell.          |
| Cox.               | Neeley.           |
| Davis of Dallas.   | Neill.            |
| Davis of Grimes.   | Nichols.          |
| Davis              | Nordhaus.         |
| of Van Zandt.      | O'Banion.         |
| De Bogory.         | O'Brien.          |
| Denton.            | Osborne.          |
| Dodd.              | Parks.            |
| Dudley.            | Pillow.           |
| Dunnam.            | Poage.            |
| Estes.             | Raiden.           |
| Fairchild.         | Reeves.           |
| Fisher.            | Richards.         |
| Florer.            | Roemer.           |
| Fly.               | Rogers.           |
| Haidusek.          | Russell.          |
| Hardey.            | Sackett.          |
| Harris.            | Sallas.           |
| Hartman.           | Sentell.          |
| Hawkins.           | Schlesinger.      |
| Hill.              | Scholl.           |
| Holland.           | Seawright.        |
| Hudspeth.          | Sholars.          |
| Johnson.           | Smith of Hopkins. |
| Jones.             | Smith of Scurry.  |

|                   |              |
|-------------------|--------------|
| Spencer of Nolan. | Tilson.      |
| Spencer of Wise.  | Tinner.      |
| Spradley.         | Trayler.     |
| Stewart.          | Tschoepe.    |
| Taylor.           | Valentine.   |
| Templeton.        | Veatch.      |
| Terrell.          | Walker.      |
| Thomas.           | White.       |
| Thomason          | Williams     |
| of El Paso.       | of Brazoria. |
| Thomason          | Williams     |
| of Nacogdoches.   | of McLennan. |
| Thompson          | Williford.   |
| of Hunt.          | Wilson.      |
| Thompson          | Woods.       |
| of Red River.     | Woodul.      |
| Tillotson.        | Yantis.      |

Absent.

|            |            |
|------------|------------|
| Bagby.     | Peddy.     |
| Bland.     | Robertson. |
| Greenwood. | Swope.     |
| Monday.    |            |

Absent—Excused.

|              |                   |
|--------------|-------------------|
| Bell.        | McCoy.            |
| Bryan.       | Peyton.           |
| Bryant.      | Pope.             |
| Cates.       | Schlosshan.       |
| Crudginton.  | Smith of Bastrop. |
| Fitzpatrick. | Strayhorn.        |
| Lindemann.   | Upchurch.         |
| Lowe         | Wahrmund.         |
| of McMullen. |                   |

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain, as follows:

Our heavenly Father, trusting in no merit of our own, but in Thy loving kindness, we begin another week of legislative enactments. We realize that government is ordained of Thee. He who serves his State well serves both God and man. We pray that each enactment of this day may be approved of Thee. Bring blessings to our State and credit to the legislators, we ask in Jesus' name. Amen.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Smith of Bastrop, for today, on motion of Mr. Yantis.

Mr. Fitzpatrick, for last Saturday and today, on motion of Mr. Cox.

Mr. Lowe of McMullen, for today, on motion of Mr. Hartman.

Mr. Peyton, for today, on motion of Mr. Cope.

Mr. Schlosshan, for today, on motion of Mr. Bedell.

Mr. Upchurch, for today and tomorrow, on motion of Mr. Rogers.

Mr. Cates, indefinitely, on motion of Mr. Laas.

Mr. Lindemann, for today, on motion of Mr. Laas.

Mr. Monday, for today, on motion of Mr. Fisher.

Mr. Crudgington was granted leave of absence indefinitely, on account of sickness, on motion of Mr. Tilson.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Dodd, it was ordered that Senate bill No. 316 be not printed.

On motion of Mr. Laas, it was ordered that House bill No. 834 be not printed.

#### RELATING TO CONSIDERATION OF BILLS.

Mr. Woods offered the following resolution:

Be it resolved by the House of Representatives, That it is the sense of this House that every measure of more than local interest shall be duly and deliberately considered by this House, with reasonable opportunity for information in regard thereto by the members of the House and opportunity for discussion and amendment, to the end that deliberate action may be taken thereon, that such action shall represent the mature judgment of the House, that hasty legislation may be avoided and the permanent welfare of the people of the State advanced thereby.

Signed—Woods, McComb, Fly, Miller of Dallas, Dudley, McMillin, Metcalfe, Pope, Bryan, Murrell, Carlock, Sentell, Hartman, Miller of Austin, Neill, Williford, Bertram, Holland, Poage, Neeley, Dodd.

The resolution was read and was referred by the Speaker to the Committee on Rules.

#### HOUSE BILL NO. 568 ON SECOND READING.

On motion of Mr. Blackmon, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 568, A bill to be entitled "An Act making it an offense for any person who is treasurer of any school district in this State, or for any officer, director, stockholder, agent or employee of any corporation that is the treasurer or depository of any school district in this State to fraudulently take, misapply or convert to his own use any of the

money, property or other thing of value belonging to such district or to secrete the same with the intent to take, misapply or convert it to his own use, or to pay or deliver the same to any person knowing that he is not entitled to receive it, prescribing a penalty, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 493 ON SECOND READING.

On motion of Mr. Morris, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 493, A bill to be entitled "An Act to amend Chapter 15, Title 71, of the Revised Civil Statutes of this State, by adding, following Article 4954, a new Article 4955, and providing in substance that all provisions of the laws of this State applicable to life, fire, marine, inland, lightning or tornado insurance companies shall, so far as the same are applicable, govern and apply to all companies transacting any other kind of insurance business in this State, so far as they are not in conflict with the provisions of law made specially applicable thereto, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### SENATE BILL NO. 264 ON SECOND READING.

On motion of Mr. Lacey, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to a third reading,

S. B. No. 264, A bill to be entitled "An Act to authorize and permit W. A. Eastham, Duncan Eastham and Luther Eastham, Jr., as executors of and devisees under the last will of Mrs. Delha Eastham, deceased, to sue the State of Texas and the Prison Commissioners of the State of Texas in the district court of Walker county for damages for the breaches, if any, and failure, if any, to perform the duties and obligations, if any, arising out of the contract made between Mrs. Delha Eastham, then a widow, now deceased, and J. A. Herring, then superintendent, and J. C. Haynes, then financial agent of the penitentiaries of the State of Texas."

The Speaker laid the bill before the House, and it was read second time.

Mr. Lacey offered the following (committee) amendments to the bill:

Amend Senate bill No. 264, in caption, by striking out the word "Walker" and inserting in lieu thereof the word "Travis," thereby establishing the venue of said suit in Travis county instead of Walker county.

Amend Senate bill No. 264, in line 5, Section 1, by striking out the word "Walker" and inserting in lieu thereof the word "Travis," thereby establishing the venue of said suit in Travis county instead of Walker county.

The (committee) amendments were adopted.

Mr. Woods offered the following amendment to the bill:

Amend Senate bill No. 264 by adding after the word "obligation," on line 33, page 2, the following: "And such judgment shall be finally determined by the Courts of Civil Appeals and the Supreme Court, in favor of plaintiffs."

The amendment was adopted.

Question recurring on the passage of the bill to a third reading, yeas and nays were demanded.

The bill was passed to a third reading by the following vote:

## Yeas—66.

|                    |                   |
|--------------------|-------------------|
| Beard of Harris.   | Low               |
| Beasley.           | of Washington.    |
| Beason.            | McFarland.        |
| Blackburn.         | Martin.           |
| Blalock.           | Mendell.          |
| Boner.             | Metcalf.          |
| Brown.             | Miller of Austin. |
| Burton of Tarrant. | Neeley.           |
| Butler.            | O'Brien.          |
| Canales.           | Parks.            |
| Cox.               | Pillow.           |
| Davis of Dallas.   | Poage.            |
| Davis of Grimes.   | Pope.             |
| Denton.            | Raiden.           |
| Dodd.              | Richards.         |
| Dudley.            | Sallas.           |
| Estes.             | Sentell.          |
| Fairchild.         | Schlesinger.      |
| Fisher.            | Scholl.           |
| Haidusek.          | Sholars.          |
| Hardey.            | Smith of Scurry.  |
| Hartman.           | Spencer of Nolan. |
| Hawkins.           | Spradley.         |
| Holland.           | Templeton.        |
| Jones.             | Thomas.           |
| Laas.              | Thomason          |
| Lacey.             | of Nacogdoches.   |
| Laney.             | Thompson          |
| Lange.             | of Hunt.          |

|               |              |
|---------------|--------------|
| Thompson      | Williams     |
| of Red River. | of Brazoria. |
| Tillotson.    | Williford.   |
| Tschoepe.     | Wilson.      |
| Valentine.    | Woodul.      |
| Veatch.       | Yantis.      |
| White.        |              |

## Nays—38.

|                 |                   |
|-----------------|-------------------|
| Baker.          | Neill.            |
| Beard of Milam. | Nichols.          |
| Bedell.         | O'Banion.         |
| Bertram.        | Osborne.          |
| Blackmon.       | Reeves.           |
| Burton of Rusk. | Roemer.           |
| Cadenhead.      | Russell.          |
| Clark.          | Sackett.          |
| Cope.           | Seawright.        |
| Florer.         | Smith of Hopkins. |
| Harris.         | Spencer of Wise.  |
| Hudspeth.       | Stewart.          |
| Lanier.         | Taylor.           |
| Lee.            | Terrell.          |
| McComb.         | Tilson.           |
| McDowra.        | Tinner.           |
| Meador.         | Trayler.          |
| Moore.          | Walker.           |
| Murrell.        | Woods.            |

## Present—Not Voting.

Hill.

## Absent.

|            |              |
|------------|--------------|
| Bagby.     | Nordhaus.    |
| Bland.     | Peddy.       |
| Cates.     | Peyton.      |
| De Bogory. | Robertson.   |
| Dunnam.    | Rogers.      |
| Greenwood. | Swope.       |
| Johnson.   | Williams     |
| Monday.    | of McLennan. |
| Morris.    |              |

## Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | Lowe              |
| Bledsoe.      | of McMullen.      |
| Bryan.        | McCoy.            |
| Bryant.       | McMillin.         |
| Carlock.      | Miller of Dallas. |
| Crudgington.  | Schlosshan.       |
| Davis         | Smith of Bastrop. |
| of Van Zandt. | Strayhorn.        |
| Fitzpatrick.  | Thomason          |
| Fly.          | of El Paso.       |
| Lindemann.    | Upchurch.         |
|               | Wahrmund.         |

Mr. Lacey moved to reconsider the vote by which the bill was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO TAKE UP HOUSE BILL  
NO. 359.

Mr. Blalock moved to suspend the regular order of business, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 359, A bill to be entitled "An Act defining and regulating the length of trains, providing a penalty for the violation thereof, and declaring an emergency."

The motion to suspend was lost.

HOUSE BILL NO. 513 ON SECOND  
READING.

On motion of Mr. Yantis, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 513, A bill to be entitled "An Act to amend Chapter 67 of the Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, as amended by Chapter 31 of the Acts of the First Called Session of the Thirty-third Legislature, and the same is hereby amended so that Sections 2, 3, 4 and 5 of said Chapter 31 shall be divided into seven sections, to be known in said chapter as Sections 2, 3, 4, 5, 5a, 5b and 5c, reading as shown below; also by amending Section 9 of Chapter 31, so that it will read as shown below, said sections as amended to be incorporated in and become part of said Chapter 31."

The Speaker laid the bill before the House, and it was read second time.

Mr. Yantis offered the following (committee) amendments to the bill:

(1)

Amend the bill by adding thereto another section to be known as Section 10 and reading as follows, to wit:

"Section 10. The importance of this legislation and the necessity of conforming the acts of this Legislature as heretofore enacted to the Federal statutes as declared and recently interpreted by the Supreme Court of the United States, and the crowded condition of the calendar at this session of the Legislature, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days shall be suspended, and said rule is hereby suspended and that this act take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend the bill by inserting immediately preceding the enacting clause, the following:

"A bill to be entitled An Act to amend Chapter 67 of the Acts of the Regular Session of the Thirty-third Legislature as amended by Chapter 31 of the Acts of the First Called Session of the Thirty-third Legislature, which said last named chapter was 'An Act to amend Chapter 67 of the Acts of the Thirty-third Legislature, Regular Session, of the State of Texas, entitled "An Act to prohibit the intrastate shipment and transportation of intoxicating liquors, prohibiting any person, firm, corporation or any officer, agent or employe thereof, from delivering to any other person, firm, corporation or any officer, agent or employe thereof, any intoxicating liquor for shipment, transportation or carriage from any point within this State to any other point within this State; prohibiting any person, firm, corporation, or any officer, agent or employe thereof from receiving for shipment, transportation or carriage, or from shipping, transporting, carrying or delivering any intoxicating liquor from any point within this State to any other person, firm or corporation, or any officer, agent or employe thereof, within this State; providing that this act shall not apply to any person personally carrying any intoxicating liquor from any point within this State to any other point within this State for the use of himself or member of his family residing with him; providing this act shall not apply to the transportation, carriage or delivery of intoxicating liquors to persons licensed under the laws of this State to sell spirituous, vinous or malt liquors; providing that this act shall not prohibit the shipment, transportation or delivery by persons licensed under the laws of this State to sell spirituous, vinous or malt liquors within the county or subdivision of a county in which such persons are authorized or licensed under the laws of this State to pursue such business; providing that this act shall not apply to the interstate shipment or delivery of intoxicating liquors, providing exceptions to this act for sacramental purposes; providing penalties for violations of the provisions of this act; repealing all laws in conflict herewith, providing if any section or part of this act shall be held to be invalid that that fact shall not invalidate any other part of this act, and declaring an emergency," and providing for the shipment, transportation, carriage and delivery of alcohol to drug stores, hospitals, educational



or eleemosynary institutions of this State for scientific or medicinal purposes; and providing for the shipment, transportation, carriage and delivery to manufacturers or manufacturing establishments not manufacturing intoxicating liquors capable of being used as a beverage; and prohibiting the transportation, carriage and delivery of intoxicating liquors within this State on shipments originating beyond the limits of this State where such shipment is intended to be received, possessed, sold, or in any manner used in violation of any law of this State; and providing penalties therefor; and also prohibiting any person, firm or corporation from soliciting or taking orders in any county, justice precinct, town, city or other subdivision of a county where the qualified voters thereof have by a majority vote prohibited the sale of intoxicating liquors; prohibiting the shipment, transportation, carriage and delivery of intoxicating liquors within this State, except within the territory within which the sale of intoxicating liquors is permitted under the laws of the State, requiring a participant or accomplice to testify and exempting such witnesses from punishment; providing penalties for violations of the provisions of this act; and creating and defining certain offenses in violation of this act, prescribing the penalty and punishment therefor; repealing all laws in conflict herewith, and declaring an emergency, this act being to amend the aforesaid act of the Legislature as thus amended so that Sections 2, 3, 4 and 5 of said Chapter 31 of the Acts of the First Called Session of the Thirty-third Legislature shall be divided into seven sections to be known in said chapter as Sections 2, 3, 4, 5, 5a, 5b and 5c, and also by amending Section 9 of said Chapter 31 so that said sections as thus divided and amended shall read in substance that except as otherwise provided it shall be unlawful for any person to possess intoxicating liquors for personal use, sale or any other purpose received from a common carrier or any person, firm or corporation or any officer, agent or employe thereof in any place where the sale of intoxicating liquors is prohibited, and making this restriction apply to interstate as well as intrastate shipments and carriers; making it unlawful for any person to keep or have for personal use or otherwise or to permit another to have or keep or use intoxicating liquors in any restaurant, store, office building, club, place where soft drinks are sold, fruit stands, news stands, room or place where bowling alleys, billiard or

pool tables are maintained, livery stable, courthouse, public building, park, road, street or alley within any territory where the sale of intoxicating liquor is prohibited; defining an exception to this provision; declaring it unlawful for any person to receive intoxicating liquors from a carrier or other person, firm or corporation in any place where the sale of intoxicating liquors is prohibited, and making this section apply to liquors intended for personal use or otherwise, and to the receipt of liquors from interstate as well as intrastate carriers; making it unlawful for any person, firm or corporation or any officer, agent or employe thereof to deliver intoxicating liquors for shipment, transportation, carriage or delivery within this State where the sale of intoxicating liquors is prohibited regardless of the use which is intended to be made of the liquors; making it unlawful for any person, firm or corporation, or any agent, officer or employe thereof to receive intoxicating liquor for shipment, transportation, carriage or delivery within this State at a place where the sale of intoxicating liquors has been prohibited regardless of the use to be made thereof; declaring it unlawful for any person, firm or corporation, or any agent, officer or employe thereof to ship, transport, carry or deliver intoxicating liquor in any place where the sale of intoxicating liquor is prohibited regardless of the use which is to be made of such liquor; making it unlawful for any person, firm or corporation, or any officer, agent or employe thereof to ship or transport in any manner or by any means intoxicating liquors from a point within any other State or territory or district of the United States to any person, firm or corporation or agent, officer or employe thereof in this State residing in territory where the sale of intoxicating liquor is prohibited, which intoxicating liquor is intended to be received or possessed in violation of this act or sold in violation of law or used in any manner in violation of the laws of this State; declaring that nothing in the act will make it unlawful for any person for the use of himself or the members of his family to personally carry liquor to any point within the State, provided he shall not carry at any one time where the sale of intoxicating liquors has been prohibited any liquor or liquors in a total quantity exceeding one-half gallon, and declaring an emergency."

The (committee) amendments were adopted.

Mr. Yantis offered the following amendment to the bill:

Amend House bill No. 513 by striking out Section 9.

Yeas and nays were demanded, and the amendment was adopted by the following vote:

## Yeas—61.

|                  |                   |
|------------------|-------------------|
| Baker.           | Osborne.          |
| Beard of Milam.  | Raiden.           |
| Beasley.         | Reeves.           |
| Bedell.          | Richards.         |
| Bertram.         | Russell.          |
| Blackmon.        | Sackett.          |
| Blalock.         | Sentell.          |
| Boner.           | Seawright.        |
| Burton of Rusk.  | Smith of Hopkins. |
| Butler.          | Spencer of Nolan. |
| Clark.           | Spencer of Wise.  |
| Cope.            | Spradley.         |
| Davis of Dallas. | Stewart.          |
| Dodd.            | Templeton.        |
| Estes.           | Terrell.          |
| Fairchild.       | Thomas.           |
| Florer.          | Thomason          |
| Hawkins.         | of Nacogdoches.   |
| Hudspeth.        | Thompson          |
| Lacey.           | of Hunt.          |
| Laney.           | Thompson          |
| Lee.             | of Red River.     |
| McDowra.         | Tilson.           |
| McFarland.       | Tinner.           |
| Meador.          | Traylor.          |
| Metcalfe.        | Veatch.           |
| Moore.           | Williams          |
| Murrell.         | of Brazoria.      |
| Neeley.          | Williams          |
| Neill.           | of McLennan.      |
| Nichols.         | Williford.        |
| O'Banion.        | Wilson.           |
| O'Brien.         | Yantis.           |

## Nays—41.

|                    |                   |
|--------------------|-------------------|
| Beard of Harris.   | Lanier.           |
| Beason.            | Low               |
| Blackburn.         | of Washington.    |
| Brown.             | Martin.           |
| Burton of Tarrant. | Mendell.          |
| Cadenhead.         | Miller of Austin. |
| Canales.           | Nordhaus.         |
| Cox.               | Parks.            |
| Denton.            | Pillow.           |
| Dudley.            | Poage.            |
| Dunnam.            | Roemer.           |
| Fisher.            | Sallas.           |
| Haidusek.          | Schlesinger.      |
| Hardey.            | Scholl.           |
| Harris.            | Sholars.          |
| Hartman.           | Taylor.           |
| Hill.              | Tschoepe.         |
| Holland.           | Valentine.        |
| Jones.             | Walker.           |
| Laas.              | White.            |
| Lange.             | Woodul.           |

## Present—Not Voting.

McComb.

## Absent.

|                  |                  |
|------------------|------------------|
| Bagby.           | Peddy.           |
| Bland.           | Robertson.       |
| Davis of Grimes. | Rogers.          |
| De Bogory.       | Smith of Scurry. |
| Greenwood.       | Swope.           |
| Johnson.         | Tillotson.       |
| Monday.          | Woods.           |
| Morris.          |                  |

## Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | McCoy.            |
| Bledsoe.      | McMillin.         |
| Bryan.        | Miller of Dallas. |
| Bryant.       | Peyton.           |
| Carlock.      | Pope.             |
| Cates.        | Schlosshan.       |
| Crudgington.  | Smith of Bastrop. |
| Davis         | Strayhorn.        |
| of Van Zandt. | Thomason          |
| Fitzpatrick.  | of El Paso.       |
| Fly.          | Upchurch.         |
| Lindemann.    | Wahrmund.         |
| Lowe          |                   |
| of McMullen.  |                   |

Mr. Murrell moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider. The motion to table prevailed.

Mr. Yantis offered the following amendments to the bill:

## (1)

Amend the bill by transposing the words "intrastate" and "interstate" where they last occur in Section 2.

## (2)

Amend Section 4 by striking out the word "otherwise" and inserting in lieu thereof the words "other purpose" at close of section.

## (3)

Amend Section 5 by striking out the word "otherwise" and inserting therein the words "other purpose."

## (4)

Amend Section 5a by striking out the word "otherwise" and inserting in lieu thereof the words "other purpose."

## (5)

Amend caption by striking out the clause which reads as follows: "Declaring that nothing in this act will make it

unlawful for any person for the use of himself or the members of his family to personally carry at any one time where the sale of intoxicating liquors has been prohibited any liquor or liquors in a total quantity exceeding one-half gallon."

The amendments were severally adopted.

Mr. Butler offered the following amendment to the bill:

Amend House bill No. 513 by striking out the word "regarding" in line 24, page 2, and inserting therefor the words "regardless of."

The amendment was adopted.

Mr. Nordhaus offered the following amendment to the bill:

Amend House bill No. 513 by striking out the enacting clause.

Signed—Fisher, Nordhaus, Holland, Schlesinger, Scholl.

Yeas and nays were demanded, and the amendment striking out the enacting clause of the bill was lost by the following vote:

Yeas—34.

|                    |                   |
|--------------------|-------------------|
| Beard of Harris.   | Low               |
| Beason.            | of Washington.    |
| Brown.             | Martin.           |
| Burton of Tarrant. | Mendell.          |
| Canales.           | Miller of Austin. |
| Dudley.            | Nordhaus.         |
| Dunnam.            | Parks.            |
| Fisher.            | Roemer.           |
| Haidusek.          | Sallas.           |
| Hardey.            | Schlesinger.      |
| Harris.            | Scholl.           |
| Hartman.           | Sholars.          |
| Hill.              | Taylor.           |
| Holland.           | Tschoepe.         |
| Laas.              | Valentine.        |
| Lange.             | Walker.           |
| Lanier.            | White.            |
|                    | Woodul.           |

Yeas—69.

|                  |            |
|------------------|------------|
| Baker.           | Estes.     |
| Beard of Milam.  | Fairchild. |
| Beasley.         | Florer.    |
| Bedell.          | Hawkins.   |
| Bertram.         | Hudspeth.  |
| Blackburn.       | Jones.     |
| Blackmon.        | Lacey.     |
| Blalock.         | Laney.     |
| Boner.           | Lee.       |
| Burton of Rusk.  | McComb.    |
| Butler.          | McDowra.   |
| Cadenhead.       | McFarland. |
| Clark.           | Meador.    |
| Cope.            | Metcalf.   |
| Cox.             | Murrell.   |
| Davis of Dallas. | Neeley.    |
| De Bogory.       | Neill.     |
| Dodd.            | Nichols.   |

|                   |                 |
|-------------------|-----------------|
| O'Banion.         | Thomas.         |
| O'Brien.          | Thomason        |
| Osborne.          | of Nacogdoches. |
| Pillow.           | Thompson        |
| Raiden.           | of Hunt.        |
| Reeves.           | Thompson        |
| Richards.         | of Red River.   |
| Rogers.           | Tilson.         |
| Russell.          | Tinner.         |
| Sackett.          | Trayler.        |
| Sentell.          | Veatch.         |
| Seawright.        | Williams        |
| Smith of Hopkins. | of Brazoria.    |
| Spencer of Nolan. | Williams        |
| Spencer of Wise.  | of McLennan.    |
| Spradley.         | Williford.      |
| Stewart.          | Wilson.         |
| Templeton.        | Woods.          |
| Terrell.          | Yantis.         |

Absent.

|                  |                  |
|------------------|------------------|
| Bagby.           | Morris.          |
| Bland.           | Peddy.           |
| Davis of Grimes. | Poage.           |
| Denton.          | Robertson.       |
| Greenwood.       | Smith of Scurry. |
| Johnson.         | Swope.           |
| Monday.          | Tillotson.       |
| Moore.           |                  |

Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | McCoy.            |
| Bledsoe.      | McMillin.         |
| Bryan.        | Miller of Dallas. |
| Bryant.       | Peyton.           |
| Carlock.      | Pope.             |
| Cates.        | Schlosshan.       |
| Crudgington.  | Smith of Bastrop. |
| Davis         | Strayhorn.        |
| of Van Zandt. | Thomason          |
| Fitzpatrick.  | of El Paso.       |
| Fly.          | Upchurch.         |
| Lindemann.    | Wahrmund.         |
| Lowe          |                   |
| of McMullen.  |                   |

Mr. Mendell offered the following amendment to the bill:

Amend by inserting "anyone violating the provisions of this act shall be deemed guilty of a felony and upon conviction shall be punished by confinement in the penitentiary for a period of not less than two nor more than five years."

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—31.

|                  |                    |
|------------------|--------------------|
| Beard of Harris. | Burton of Tarrant. |
| Beason.          | Canales.           |
| Bertram.         | Cox.               |
| Boner.           | Dudley.            |
| Brown.           | Dunnam.            |

|                |              |
|----------------|--------------|
| Fisher.        | Nordhaus.    |
| Florer.        | Parks.       |
| Haidusek.      | Roemer.      |
| Hardey.        | Sallas.      |
| Harris.        | Sholars.     |
| Hartman.       | Taylor.      |
| Hudspeth.      | Valentine.   |
| Lanier.        | Williams     |
| Low            | of Brazoria. |
| of Washington. | Williams     |
| Mendell.       | of McLennan. |
| Metcalfe.      | Woodul.      |

## Nays—75.

|                   |                   |
|-------------------|-------------------|
| Baker.            | Osborne.          |
| Beard of Milam.   | Pillow.           |
| Beasley.          | Poage.            |
| Bedell.           | Raiden.           |
| Blackburn.        | Reeves.           |
| Blackmon.         | Richards.         |
| Blalock.          | Rogers.           |
| Burton of Rusk.   | Russell.          |
| Butler.           | Sackett.          |
| Cadenhead.        | Sentell.          |
| Clark.            | Schlesinger.      |
| Cope.             | Scholl.           |
| Davis of Dallas.  | Seawright.        |
| De Bogory.        | Smith of Hopkins. |
| Dodd.             | Spencer of Nolan. |
| Estes.            | Spencer of Wise.  |
| Fairchild.        | Spradley.         |
| Hawkins.          | Stewart.          |
| Hill.             | Templeton.        |
| Holland.          | Terrell.          |
| Jones.            | Thomas.           |
| Laas.             | Thomason          |
| Lacey.            | of Nacogdoches.   |
| Laney.            | Thompson          |
| Lange.            | of Hunt.          |
| Lee.              | Thompson          |
| McComb.           | of Red River.     |
| McDowra.          | Tillotson.        |
| McFarland.        | Tilson.           |
| Martin.           | Tinner.           |
| Meador.           | Trayler.          |
| Miller of Austin. | Tschoepe.         |
| Moore.            | Veatch.           |
| Murrell.          | Walker.           |
| Neeley.           | White.            |
| Neill.            | Williford.        |
| Nichols.          | Wilson.           |
| O'Banion.         | Woods.            |
| O'Brien.          | Yantis.           |

## Absent.

|                  |                  |
|------------------|------------------|
| Bagby.           | Morris.          |
| Bland.           | Peddy.           |
| Davis of Grimes. | Robertson.       |
| Denton.          | Smith of Scurry. |
| Greenwood.       | Swope.           |
| Johnson.         | Upchurch.        |
| Monday.          |                  |

## Absent—Excused.

|          |         |
|----------|---------|
| Bell.    | Bryan.  |
| Bledsoe. | Bryant. |

|               |                   |
|---------------|-------------------|
| Carlock.      | McMillin.         |
| Cates.        | Miller of Dallas. |
| Crudgington.  | Peyton.           |
| Davis         | Pope.             |
| of Van Zandt. | Schlosshan.       |
| Fitzpatrick.  | Smith of Bastrop. |
| Fly.          | Strayhorn.        |
| Lindemann.    | Thomason          |
| Lowe          | of El Paso.       |
| of McMullen.  | Wahrmund.         |
| McCoy.        |                   |

Mr. Bedell moved the previous question on the engrossment of the bill, and the main question was ordered.

Question then recurring on the passage of the bill to engrossment, yeas and nays were demanded.

House bill No. 513 was passed to engrossment by the following vote:

## Yeas—72.

|                  |                   |
|------------------|-------------------|
| Baker.           | Osborne.          |
| Beard of Milam.  | Pillow.           |
| Beasley.         | Poage.            |
| Bedell.          | Raiden.           |
| Bertram.         | Reeves.           |
| Blackburn.       | Richards.         |
| Blackmon.        | Rogers.           |
| Blalock.         | Russell.          |
| Boner.           | Sackett.          |
| Burton of Rusk.  | Sentell.          |
| Butler.          | Seawright.        |
| Cadenhead.       | Smith of Hopkins. |
| Clark.           | Smith of Scurry.  |
| Cope.            | Spencer of Nolan. |
| Davis of Dallas. | Spencer of Wise.  |
| De Bogory.       | Spradley.         |
| Dodd.            | Stewart.          |
| Estes.           | Templeton.        |
| Fairchild.       | Terrell.          |
| Florer.          | Thomas.           |
| Hawkins.         | Thomason          |
| Hudspeth.        | of Nacogdoches.   |
| Jones.           | Thompson          |
| Lacey.           | of Hunt.          |
| Laney.           | Thompson          |
| Lee.             | of Red River.     |
| McComb.          | Tilson.           |
| McDowra.         | Tinner.           |
| McFarland.       | Trayler.          |
| Meador.          | Veatch.           |
| Metcalfe.        | Williams          |
| Moore.           | of Brazoria.      |
| Morris.          | Williams          |
| Murrell.         | of McLennan.      |
| Neeley.          | Williford.        |
| Neill.           | Wilson.           |
| Nichols.         | Woods.            |
| O'Banion.        | Yantis.           |
| O'Brien.         |                   |

## Nays—34.

|                  |                    |
|------------------|--------------------|
| Beard of Harris. | Burton of Tarrant. |
| Brown.           | Canales.           |



|                |                   |
|----------------|-------------------|
| Cox.           | Miller of Austin. |
| Dudley.        | Nordhaus.         |
| Dunnam.        | Parks.            |
| Fisher.        | Roemer.           |
| Haidusek.      | Sallas.           |
| Hardey.        | Schlesinger.      |
| Harris.        | Scholl.           |
| Hartman.       | Sholars.          |
| Holland.       | Taylor.           |
| Laas.          | Tillotson.        |
| Lange.         | Tschoepe.         |
| Lanier.        | Valentine.        |
| Low            | Walker.           |
| of Washington. | White.            |
| Martin.        | Woodul.           |
| Mendell.       |                   |

## Absent.

|                  |            |
|------------------|------------|
| Bagby.           | Hill.      |
| Beason.          | Johnson.   |
| Bland.           | Monday.    |
| Davis of Grimes. | Peddy.     |
| Denton.          | Robertson. |
| Greenwood.       | Swope.     |

## Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | McCoy.            |
| Bledsoe.      | McMillin.         |
| Bryan.        | Miller of Dallas. |
| Bryant.       | Peyton.           |
| Carlock.      | Pope.             |
| Cates.        | Schlosshan.       |
| Crudgington.  | Smith of Bastrop. |
| Davis         | Strayhorn.        |
| of Van Zandt. | Thomason          |
| Fitzpatrick.  | of El Paso.       |
| Fly.          | Upchurch.         |
| Lindemann.    | Wahrmund.         |
| Lowe          |                   |
| of McMullen.  |                   |

Mr. Yantis moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

S. B. No. 384, A bill to be entitled "An Act to amend Article 4859, Title 71, Chapter 7, relating to reports of local insurance associations, of the Revised Civil Statutes, 1911, of the State of Texas."

S. B. No. 94, A bill to be entitled "An Act to amend Article 7394 of the Revised Statutes of 1911 so as to provide that the franchise tax on foreign corpo-

rations therein levied shall be based upon the proportion of the total issue and outstanding capital stock of such corporation as the gross receipts of such corporation from its intrastate business in Texas bears to its total gross receipts."

Respectfully,

G. H. BOYNTON,  
Assistant Secretary of the Senate.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Harris:

H. B. No. 841, A bill to be entitled "An Act to amend Article 890, Chapter 6, Title 13, of the Penal Code, Revised Criminal Statutes, 1911, relating to the shipment of certain game."

Referred to Committee on Game and Fisheries.

By Mr. McFarland:

H. B. No. 842, A bill to be entitled "An Act to amend Article 2164, Chapter 21, Title 37, of the Revised Statutes of Texas, 1911, relating to the custody of money deposited in court."

Referred to Committee on Reforms in Civil Procedure.

## SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 384, to the Committee on Insurance.

Senate bill No. 94, to the Committee on Revenue and Taxation.

Senate bill No. 46, to the Committee on Revenue and Taxation.

Senate bill No. 58, to the Committee on Labor.

Senate bill No. 473, to the Committee on Education.

Senate bill No. 479, to the Committee on Roads, Bridges and Ferries.

## BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Sackett, it was ordered that House bill No. 840 be not printed.

On motion of Mr. Tilson, it was ordered that Senate bill No. 461 be not printed.

On motion of Mr. Mendell, it was ordered that Senate bill No. 394 be not printed.

On motion of Mr. Fuller, it was ordered that House bill No. 838 be not printed.

On motion of Mr. Hartman, it was ordered that Senate bill No. 241 be not printed.

On motion of Mr. Veatch, it was ordered that House bill No. 797 be not printed.

On motion of Mr. Bledsoe, it was ordered that House bill No. 828 be not printed.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 12, 1917.  
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

S. B. No. 479, A bill to be entitled "An Act to create a more efficient road law for Duval county, Texas; fixing the compensation of the commissioners of Duval county when acting as ex-officio road commissioners, and declaring an emergency."

S. B. No. 58, A bill to be entitled "An Act defining a blacklist and prescribing penalties for same."

S. B. No. 46, A bill to be entitled "An Act to amend Article 7684 of the Revised Civil Statutes of 1911, by providing a period of limitation within which action must be brought to foreclosure liens upon land securing taxes, providing a period within which such liens shall become barred."

S. B. No. 473, A bill to be entitled "An Act to create the Tahoka Independent School District in Lynn county, Texas, out of the territory known as Tahoka Common School District No. 2 in said county, defining its boundaries and providing for the election of a board of trustees therefor and authorizing the board of trustees to levy, assess and collect special taxes, conferring upon the board of trustees plenary powers, providing authority to issue bonds for the purposes of purchasing school building sites, and erecting, furnishing and equipping school buildings within the said district, to levy taxes therefor and to pay current expenses for the support and maintenance of said schools, providing for a board of equalization and prescribing the duty and authority of said board, and further prescribing the duty and authority of said board of trustees, declaring valid an issue of bonds hereto-

fore made, declaring valid a maintenance tax heretofore levied, and declaring an emergency."

Respectfully,  
G. H. BOYNTON,  
Assistant Secretary of the Senate.

#### HOUSE BILL NO. 837 ON SECOND READING.

On motion of Mr. Parks, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 837, A bill to be entitled "An Act making appropriation of the sum of twenty thousand (\$20,000) dollars, or as much thereof as may be necessary, to pay the contingent expenses of the Thirty-fifth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 837 ON THIRD READING.

Mr. Parks moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 837 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95.

|                    |                   |
|--------------------|-------------------|
| Mr. Speaker.       | Estes.            |
| Bagby.             | Fairchild.        |
| Baker.             | Florer.           |
| Beard of Milam.    | Haidusek.         |
| Beasley.           | Hardey.           |
| Beason.            | Harris.           |
| Bedell.            | Hartman.          |
| Bertram.           | Hawkins.          |
| Blackburn.         | Hill.             |
| Blackmon.          | Holland.          |
| Blalock.           | Hudspeth.         |
| Boner.             | Jones.            |
| Brown.             | Laas.             |
| Burton of Rusk.    | Lacey.            |
| Burton of Tarrant. | Laney.            |
| Butler.            | Lanier.           |
| Cadenhead.         | Lee.              |
| Canales.           | McComb.           |
| Clark.             | McFarland.        |
| Cope.              | Martin.           |
| Cox.               | Meador.           |
| Davis of Dallas.   | Mendell.          |
| Denton.            | Metcalfe.         |
| Dodd.              | Miller of Austin. |
| Dudley.            | Moore.            |
| Dunnam.            | Morris.           |

|                   |                 |
|-------------------|-----------------|
| Murrell.          | Spradley.       |
| Neeley.           | Stewart.        |
| Neill.            | Templeton.      |
| Nichols.          | Terrell.        |
| Nordhaus.         | Thomas.         |
| O'Banion.         | Thomason        |
| O'Brien.          | of Nacogdoches. |
| Osborne.          | Thompson        |
| Parks.            | of Hunt.        |
| Pillow.           | Tilson.         |
| Poage.            | Tschoepe.       |
| Raiden.           | Valentine.      |
| Reeves.           | Veatch.         |
| Richards.         | Walker.         |
| Roemer.           | White.          |
| Russell.          | Williams        |
| Sackett.          | of Brazoria.    |
| Sallas.           | Williams        |
| Sentell.          | of McLennan.    |
| Scholl.           | Wilson.         |
| Seawright.        | Woods.          |
| Smith of Hopkins. | Woodul.         |
| Smith of Scurry.  | Yantis.         |
| Spencer of Nolan. |                 |

Absent.

|                  |                  |
|------------------|------------------|
| Beard of Harris. | Rogers.          |
| Bland.           | Schlesinger.     |
| Davis of Grimes. | Sholars.         |
| De Bogory.       | Spencer of Wise. |
| Fisher.          | Swope.           |
| Greenwood.       | Taylor.          |
| Johnson.         | Thompson         |
| Lange.           | of Red River.    |
| Low              | Tillotson.       |
| of Washington.   | Tinner.          |
| McDowra.         | Trayler.         |
| Monday.          | Upchurch.        |
| Peddy.           | Williford.       |
| Robertson.       |                  |

Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | Lowe              |
| Bledsoe.      | of McMullen.      |
| Bryan.        | McCoy.            |
| Bryant.       | McMillin.         |
| Carlock.      | Miller of Dallas. |
| Cates.        | Peyton.           |
| Crudgington.  | Pope.             |
| Davis         | Schlosshan.       |
| of Van Zandt. | Smith of Bastrop. |
| Fitzpatrick.  | Strayhorn.        |
| Fly.          | Thomason          |
| Lindemann.    | of El Paso.       |
|               | Wahrmund.         |

The Speaker then laid House bill No. 837 before the House, on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—102.

|                    |                   |
|--------------------|-------------------|
| Mr. Speaker.       | Neill.            |
| Baker.             | Nichols.          |
| Beard of Milam.    | Nordhaus.         |
| Beasley.           | O'Banion.         |
| Beason.            | O'Brien.          |
| Bedell.            | Osborne.          |
| Bertram.           | Parks.            |
| Blackburn.         | Pillow.           |
| Blackmon.          | Poage.            |
| Blalock.           | Raiden.           |
| Boner.             | Reeves.           |
| Brown.             | Richards.         |
| Burton of Rusk.    | Roemer.           |
| Burton of Tarrant. | Rogers.           |
| Butler.            | Russell.          |
| Cadenhead.         | Sackett.          |
| Canales.           | Sentell.          |
| Clark.             | Schlesinger.      |
| Cope.              | Scholl.           |
| Cox.               | Seawright.        |
| Davis of Dallas.   | Sholars.          |
| Davis of Grimes.   | Smith of Hopkins. |
| Denton.            | Smith of Scurry.  |
| Dodd.              | Spencer of Nolan. |
| Dudley.            | Spradley.         |
| Dunnam.            | Stewart.          |
| Estes.             | Taylor.           |
| Fairchild.         | Templeton.        |
| Florer.            | Terrell.          |
| Haidusek.          | Thomas.           |
| Hardey.            | Thomason          |
| Harris.            | of Nacogdoches.   |
| Hartman.           | Thompson          |
| Hawkins.           | of Hunt.          |
| Hill.              | Thompson          |
| Holland.           | of Red River.     |
| Hudspeth.          | Tilson.           |
| Jones.             | Tinner.           |
| Laas.              | Trayler.          |
| Lacey.             | Tschoepe.         |
| Laney.             | Valentine.        |
| Lanier.            | Veatch.           |
| Lee.               | Walker.           |
| McComb.            | White.            |
| McFarland.         | Williams          |
| Martin.            | of Brazoria.      |
| Meador.            | Williams          |
| Mendell.           | of McLennan.      |
| Metcalfe.          | Williford.        |
| Miller of Austin.  | Wilson.           |
| Moore.             | Woods.            |
| Morris.            | Woodul.           |
| Murrell.           | Yantis.           |
| Neeley.            |                   |

Absent.

|                  |                |
|------------------|----------------|
| Bagby.           | Lange.         |
| Beard of Harris. | Low            |
| Bland.           | of Washington. |
| De Bogory.       | McDowra.       |
| Fisher.          | Monday.        |
| Greenwood.       | Peddy.         |
| Johnson.         | Robertson.     |

Sallas. Swope.  
Spencer of Wise. Tillotson.

Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | McCoy.            |
| Bledsoe.      | McMillin.         |
| Bryan.        | Miller of Dallas. |
| Bryant.       | Peyton.           |
| Carlock.      | Pope.             |
| Cates.        | Schlosshan.       |
| Crudgington.  | Smith of Bastrop. |
| Davis         | Strayhorn.        |
| of Van Zandt. | Thomason          |
| Fitzpatrick.  | of El Paso.       |
| Fly.          | Upchurch.         |
| Lindemann.    | Währmund.         |
| Lowe          |                   |
| of McMullen.  |                   |

#### HOUSE JOINT RESOLUTION NO. 32 ON SECOND READING.

On motion of Mr. Laas, the regular order of business was suspended, to take up and have placed on its second reading,

H. J. R. No. 32, Proposing an amendment to the Constitution of the State of Texas by adding to Article 8 thereof a new section to be known as Section 20, providing for the voting of a special tax by subdivisions of counties for construction and maintenance, or for construction or maintenance of public roads.

The Speaker laid the resolution before the House, and it was read second time.

On motion of Mr. Williams of Brazoria, further consideration of the resolution was postponed until 2 o'clock p. m. today.

#### HOUSE BILL NO. 339 ON FINAL PASSAGE.

The Speaker laid before the House, as postponed business, on its final passage,

H. B. No. 339, A bill to be entitled "An Act to define a delinquent negro child, and to regulate the treatment and control of same; providing for commitment of the delinquent and incorrigible negro juveniles in the State institution to be hereafter known as the State Training School for Negro Boys, located at Rusk, Henderson county, Texas; and to provide for the appointment by the Governor of six trustees, and defining the duties of said trustees, etc., and declaring an emergency."

With amendments by Mr. Dunnam striking out all after and all before the enacting clause, and inserting the text of a new bill and caption, pending.

(Mr. Holland in the chair.)

Question recurring on the amendments, they were adopted.

House bill No. 339 was then passed.

Mr. Dunnam moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

(Speaker in the chair.)

#### HOUSE BILL NO. 319 ON THIRD READING.

On motion of Mr. O'Banion, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

H. B. No. 319, A bill to be entitled "An Act to amend Article 1974, Section 3, Chapter 59, page 113, of the General Laws of the State of Texas, passed by the Thirty-third Legislature at its Regular Session, relating to special instructions by the court."

The Speaker laid the bill before the House, and it was read the third time.

Mr. O'Banion offered the following amendments to the bill:

(1)

Amend the first line of the caption of House bill No. 319 by inserting after the figures "1974" the following: "of the Revised Civil Statutes of 1911, as amended by."

(2)

Amend the first line of Section 1 of House bill No. 319, by inserting after the figures "1974" the following: "of the Revised Civil Statutes of 1911, as amended by."

The amendments were severally adopted.

House bill No. 319 was then passed.

Mr. O'Banion moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 419 ON THIRD READING.

On motion of Mr. Terrell, by unanimous consent, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

H. B. No. 419, A bill to be entitled "An Act to establish standard containers and standard grades and packs for fruits and vegetables grown in this State for the markets; to prescribe dimensions and cubical contents of such



containers; to require the manufacturers of such containers to conform to the standards herein prescribed; to define the different grades and packs as applied to different kinds of fruits and vegetables; to authorize the Commissioner of Agriculture of this State to promulgate and publish said standard for the information of the public, and promulgate standards of containers, grades and packs, in conformity with those hereafter established by the Secretary of Agriculture of the United States, and to promulgate such other standards of containers, grades and packs as in his judgment are expedient and to the best interests of the fruit and truck growers of the State; providing for supervision of the grading and packing of fruits and vegetables through State inspectors to be appointed by the Commissioner of Agriculture; empowering the Commissioner of Agriculture to enforce the provisions of this act; prescribing penalties for its violation, and declaring an emergency."

The Speaker laid the bill before the House, and it was read third time.

Mr. Terrell offered the following amendments to the bill:

(1)

Amend the printed bill, page 3, by inserting after the word "box" in line 24, the following: "all peaches in the same crate or package shall be as nearly as possible of a uniform degree of ripeness."

(2)

Amend the printed bill, page 5, by inserting after the word "basket" in line 16 the following: "all tomatoes in the same crate or package shall be as nearly as possible of a uniform degree of ripeness."

(3)

Amend the printed bill, page 7, by inserting after the word "package" in line 15 the following: "and provided further, that a variation of not more than three per cent by actual count may be made in the number of any kind of fruit prescribed for each particular pack."

(4)

Amend the printed bill, page 8, by inserting after the word "shipper" in line 30, the word "packer."

Signed—Terrell, Lec.

The amendments were adopted.

Mr. Woods offered the following amendment to the bill:

Amend House bill No. 419, page 8, lines 25 and 26, by striking out the words "not less than one hundred (\$100) dollars and."

Amend House bill No. 419, Section 8, page 8, line 38, by striking out the words "not less than ten (\$10) dollars and."

The amendment was adopted.

House bill No. 419 was then passed.

Mr. Terrell moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 394 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 394, A bill to be entitled "An Act to amend Section 16 of Chapter 20 of local and special laws of the Thirty-first Legislature (1909), approved March 8, 1909, entitled 'An Act to create a more efficient road system for Lampasas county, Texas, and declaring an emergency.'"

The bill was read second time and was passed to a third reading.

#### SENATE BILL NO. 469 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 469, A bill to be entitled "An Act to create a more efficient road system for Kent county, Texas; defining the powers and duties of the commissioners, court of said county in adopting such system, and providing for the condemnation of lands for the opening, changing, widening, ditching, making embankments or fills or draining water away from the public roads in said county; providing for raising or lowering grades, changing or discontinuing of public roads in said county; providing that the commissioners of said county be ex-officio road commissioners, defining their powers and duties and providing for their compensation, etc., and declaring an emergency."

The bill was read second time and was passed to a third reading.

HOUSE BILL NO. 828 ON SECOND  
READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 828, A bill to be entitled "An Act to create the Taboka Independent School District in Lynn county, Texas, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment,

HOUSE BILL NO. 797 ON SECOND  
READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 797, A bill to be entitled "An Act to repeal Chapter 72, Local and Special Laws of Texas passed at the Regular Session of the Thirty-fourth Legislature, said chapter being 'An Act to create a special road law for Johnson Texas, etc., and declaring an emergency.'"

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 840 ON SECOND  
READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 840, A bill to be entitled "An Act increasing the limits of the Talpa Independent School District, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 834 ON SECOND  
READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 834, A bill to be entitled "An Act creating the Bertram Independent School District in Burnet county, Texas, including the present Bertram Independent School District, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

SENATE BILL NO. 461 ON SECOND  
READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 461, A bill to be entitled "An Act to incorporate the city of Plainview, Hale county, Texas, and to grant it a charter; to define its powers and prescribe its territorial limits, duties and liabilities, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to a third reading.

HOUSE BILL NO. 838 ON SECOND  
READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 838, A bill to be entitled "An Act to create the Shepperd Independent School District in San Jacinto county, Texas, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

SENATE BILL NO. 390 ON SECOND  
READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 390, A bill to be entitled "An Act to amend an act entitled 'An Act to provide for the establishment and maintenance of a State training school upon the cottage plan for dependent and delinquent girls of Texas, to locate same and provide for its control and management, and to make conditional appropriations, and to provide for private, county and city donations for its establishment, and declaring an emergency,' which act, is known as Chapter 144 of the Acts of the Thirty-third Legislature, and making it an offense to persuade, coerce or employ any inmate of such institution, or any home selected by the authorities thereof for any girl committed to such institution, to leave such institution or home, and making it an offense to aid, advise, encourage or furnish means for any inmate to escape from said institution or to aid or facilitate such escape, or to hide or conceal any inmate after she has escaped, and providing for punishment therefor."

The bill was read second time and was passed to a third reading.

#### SENATE BILL NO. 359 ON THIRD READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 359, A bill to be entitled "An Act to provide for the holding of an election to determine whether hogs, sheep or goats may run at large in the counties of Henderson and Anderson, of this State, during only those months of each year designated in the petition; providing that elections may be held therein, and declaring an emergency."

The bill was read third time and was passed.

#### RECESS.

On motion of Mr. Dudley, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### HOUSE BILL NO. 288 ON SECOND READING.

On motion of Mr. Tschoepe, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 288, A bill to be entitled "An Act to amend Article 5661, Revised Civil Statutes of Texas, 1911, Title 86, Chapter 7, relating to the registration of chattel mortgages, and to provide the effect to be given to the registration to such mortgages, where the same relates to property sold to be thereafter attached to the realty as a fixture; to provide for a special book, in which such chattel mortgages shall be registered; to regulate the manner of registering the same, and to repeal all laws in conflict herewith."

The Speaker laid the bill before the House, it was read second time, and was passed to engrossment.

Mr. Carlock moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 343 ON SECOND READING.

On motion of Mr. Thomason of El Paso, the regular order of business was suspended, to take up and have placed on its second reading and passage to a third reading,

S. B. No. 343, A bill to be entitled "An Act to amend Articles 7282, 7283, 7284, 7285, 7286, 7287 and 7289, of Chapter 7, Title 124, of the Revised Civil Statutes of Texas, 1911, providing for the protection of stock raisers in certain localities, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to a third reading.

Mr. Thomason of El Paso moved to reconsider the vote by which the bill was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

#### MOTION TO TAKE UP HOUSE BILL NO. 359.

Mr. Miller of Dallas moved to suspend the regular order of business, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 359, A bill to be entitled "An Act defining and regulating the length of trains, providing a penalty for the violation thereof, and declaring an emergency."

Yeas and nays were demanded and the motion to suspend was lost by the following vote:

Yeas—49.

|                    |                   |
|--------------------|-------------------|
| Mr. Speaker.       | Lange.            |
| Baker.             | Meador.           |
| Bedell.            | Mendell.          |
| Blackburn.         | Miller of Dallas. |
| Blalock.           | Moore.            |
| Boner.             | Morris.           |
| Burton of Tarrant. | Neeley.           |
| Butler.            | Nichols.          |
| Carlock.           | Nordhaus.         |
| Cope.              | O'Brien.          |
| Davis of Dallas.   | Parks.            |
| De Bogory.         | Peddy.            |
| Dodd.              | Pillow.           |
| Florer.            | Raiden.           |
| Greenwood.         | Reeves.           |
| Hawkins.           | Sackett.          |
| Holland.           | Sentell.          |
| Hudspeth.          | Schlesinger.      |
| Johnson.           | Spencer of Wise.  |
| Jones.             | Spradley.         |
| Laney.             | Taylor.           |

|                 |            |
|-----------------|------------|
| Terrell.        | Thompson   |
| Thomason        | of Hunt.   |
| of El Paso.     | Valentine. |
| Thomason        | Wilson.    |
| of Nacogdoches. | Woods.     |

Nays—53.

|                   |                   |
|-------------------|-------------------|
| Beard of Milam.   | Neill.            |
| Beasley.          | Osborne.          |
| Bertram.          | Richards.         |
| Blackmon.         | Robertson.        |
| Brown.            | Roemer.           |
| Burton of Rusk.   | Russell.          |
| Cadenhead.        | Sallas.           |
| Canales.          | Scholl.           |
| Clark.            | Seawright.        |
| Davis of Grimes.  | Sholars.          |
| Dudley.           | Smith of Hopkins. |
| Dunnam.           | Spencer of Nolan. |
| Estes.            | Stewart.          |
| Haidusek.         | Templeton.        |
| Hardey.           | Thomas.           |
| Harris.           | Thompson          |
| Hartman.          | of Red River.     |
| Hill.             | Tilson.           |
| Laas.             | Tschoepe.         |
| Lacey.            | Veatch.           |
| Lanier.           | White.            |
| Lee.              | Williams          |
| McComb.           | of Brazoria.      |
| McDowra.          | Williams          |
| Martin.           | of McLennan.      |
| Metcalf.          | Williford.        |
| Miller of Austin. | Woodul.           |
| Murrell.          | Yantis.           |

Absent.

|                  |                  |
|------------------|------------------|
| Bagby.           | Monday.          |
| Beard of Harris. | O'Banion.        |
| Beason.          | Poage.           |
| Bland.           | Rogers.          |
| Cox.             | Smith of Scurry. |
| Denton.          | Swope.           |
| Fairchild.       | Tillotson.       |
| Fisher.          | Tinner.          |
| Low              | Trayler.         |
| of Washington.   | Walker.          |
| McFarland.       |                  |

Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | Lowe              |
| Bledsoe.      | of McMullen.      |
| Bryan.        | McCoy.            |
| Bryant.       | McMillin.         |
| Cates.        | Peyton.           |
| Crudgington.  | Pope.             |
| Davis         | Schlosshan.       |
| of Van Zandt. | Smith of Bastrop. |
| Fitzpatrick.  | Strayhorn.        |
| Fly.          | Upchurch.         |
| Lindemann.    | Wahrmund.         |

## SENATE BILL NO. 231 ON SECOND READING.

On motion of Mr. Spradley, the regular order of business was suspended, to take up and have placed on its second reading and passage to a third reading.

S. B. No. 231, A bill to be entitled "An Act authorizing the State Normal School Board of Regents to purchase the properties of the East Texas Normal College located at Commerce, in Hunt county, Texas, in so far as the appropriation made provides for the purpose and to receive the balance of the value thereof as a donation in the event the board should find the facts stated in the preamble to this bill substantially true, and providing that if the board should not find the properties equal to the value stated in the preamble they may decline to purchase the property until further directed by the Legislature; providing for an examination of the title of the property by the Attorney General, the execution of deeds and bills of sale to the Governor of the State for use and benefit of the State; creating a normal school to be one of the normal schools of the State, to consist of the original equipment, properties and buildings of the present existing East Texas Normal College located at Commerce, as aforesaid; providing that said normal college shall be conducted as other State normals, under the management and control of said board; declaring that all laws of the State applicable to State normals shall be applicable to said East Texas Normal College; providing that the appropriation shall not be paid over in the consummation of the purchase to the properties here referred to prior to the 31st of August, A. D. 1917, authorizing the said board after the purchase of the property to permit the school to continue under its present management as a private institution until the Thirty-sixth Legislature makes an appropriation for its support and maintenance; appropriating the sum of \$80,000 for the purchase of said property, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Miller of Dallas moved the previous question on the passage of the bill to a third reading, and the main question was ordered.

Question then recurring on the passage of the bill to a third reading, yeas and nays were demanded.

The bill was passed to a third reading by the following vote:



## Yeas—67.

|                    |                   |
|--------------------|-------------------|
| Beard of Harris.   | Metcalf.          |
| Beason.            | Miller of Austin. |
| Blackburn.         | Miller of Dallas. |
| Blackmon.          | Neeley.           |
| Bledsoe.           | Nichols.          |
| Boner.             | Nordhaus.         |
| Brown.             | O'Brien.          |
| Bryant.            | Osborne.          |
| Burton of Tarrant. | Parks.            |
| Canales.           | Peddy.            |
| Carlock.           | Pillow.           |
| Clark.             | Raiden.           |
| Cox.               | Reeves.           |
| Davis of Grimes.   | Richards.         |
| Davis              | Sackett.          |
| of Van Zandt.      | Sholars.          |
| De Bogory.         | Smith of Hopkins. |
| Fairchild.         | Smith of Scurry.  |
| Florer.            | Spencer of Wise.  |
| Greenwood.         | Spradley.         |
| Haidusek.          | Thomas.           |
| Hartman.           | Thomason          |
| Hill.              | of Nacogdoches.   |
| Holland.           | Thompson          |
| Johnson.           | of Hunt.          |
| Laney.             | Thompson          |
| Lange.             | of Red River.     |
| Lanier.            | Tilson.           |
| Lee.               | Tschoepe.         |
| Low                | Valentine.        |
| of Washington.     | White.            |
| McDowra.           | Williams          |
| McFarland.         | of Brazoria.      |
| McMillin.          | Williams          |
| Martin.            | of McLennan.      |
| Meador.            | Woodul.           |
| Mendell.           | Yantis.           |

## Nays—44.

|                  |                   |
|------------------|-------------------|
| Baker.           | Moore.            |
| Beard of Milam.  | Morris.           |
| Beasley.         | Murrell.          |
| Bedell.          | Neill.            |
| Bertram.         | O'Banion.         |
| Blalock.         | Robertson.        |
| Burton of Rusk.  | Roemer.           |
| Butler.          | Russell.          |
| Cadenhead.       | Sallas.           |
| Cope.            | Sentell.          |
| Davis of Dallas. | Scholl.           |
| Dodd.            | Seawright.        |
| Dudley.          | Spencer of Nolan. |
| Dunnam.          | Stewart.          |
| Fly.             | Taylor.           |
| Harris.          | Templeton.        |
| Hawkins.         | Tinner.           |
| Hudspeth.        | Trayler.          |
| Jones.           | Veatch.           |
| Laas.            | Williford.        |
| Lacey.           | Wilson.           |
| McComb.          | Woods.            |

## Absent.

|        |         |
|--------|---------|
| Bagby. | Denton. |
| Bland. | Estes.  |

|              |            |
|--------------|------------|
| Fisher.      | Swope.     |
| Hardey.      | Terrell.   |
| Monday.      | Tillotson. |
| Poage.       | Upchurch.  |
| Rogers.      | Walker.    |
| Schlesinger. |            |

## Absent—Excused,

|              |                   |
|--------------|-------------------|
| Bell.        | Peyton.           |
| Bryan.       | Pope.             |
| Cates.       | Schlosshan.       |
| Crudgington. | Smith of Bastrop. |
| Fitzpatrick. | Strayhorn.        |
| Lindemann.   | Thomason          |
| Lowe         | of El Paso.       |
| of McMullen. | Wahrmund.         |
| McCoy.       |                   |

Mr. Spradley moved to reconsider the vote by which the bill was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

## SENATE BILL NO. 416 ON SECOND READING.

Mr. Thomason of Nacogdoches moved to suspend the regular order of business to take up and have placed on its second reading and passage to engrossment, S. B. No. 416, A bill to be entitled "An Act to aid the Garrison Independent School District in Nacogdoches county in the rebuilding and refurbishing permanent public school buildings destroyed by fire November 17, 1916, by donating and granting to it the State ad valorem and a part of the poll taxes and occupation taxes collected on property and indebtedness of the Garrison Independent School District for a period of five years, and providing for the manner of collecting, disbursing and receipting for said money, and providing for a penalty for their misapplication, and declaring an emergency."

The motion to suspend was lost.

## MOTION TO TAKE UP SENATE BILL NO. 397.

Mr. Poage moved to suspend the regular order of business, to take up and have placed on its second reading and passage to a third reading,

S. B. No. 397, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State Normal College to be located at Alpine in Brewster county, Texas, to be known as the 'Alpine State Normal College,' and declaring an emergency."

The motion to suspend was lost.

HOUSE BILL NO. 526 ON SECOND  
READING.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 526, A bill to be entitled "An Act to amend Article 1460, Chapter 2, Title 29, of the Revised Civil Statutes of 1911, and amended by the Thirty-fourth Legislature, page 203, providing for the appointment and compensation of county auditors in counties having a population of forty thousand inhabitants, according to the last United States census, or having a tax valuation of eighteen million dollars, according to the last approved tax rolls; also, to add Article 1460a, providing that county auditors may be appointed in counties having a less population than forty thousand inhabitants, or having a tax valuation of less than eighteen million dollars; also, to amend Article 1461, Chapter 2, Title 29, of the Revised Civil Statutes as amended by the Thirty-fourth Legislature, page 182, relating to the appointment of county auditors; also to amend Article 1462, Chapter 2, Title 29, of the Revised Civil Statutes of 1911, defining the qualifications of county auditors."

The bill having been read second time on last Saturday.

Mr. Butler offered the following amendment to the bill.

Amend the bill by striking out "\$2500" in line 37, page 1, and inserting therefor "\$2400."

The amendment was adopted.

House bill No. 526 was then passed to engrossment.

Mr. Veatch moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to reconsider prevailed.

SENATE BILL NO. 13 ON PASSAGE  
TO A THIRD READING.

Mr. Sentell called up for consideration at this time the motion to reconsider the vote by which the House on Thursday, March 8, refused to pass Senate bill No. 18 to a third reading.

The motion to reconsider prevailed.

The Speaker then laid before the House, on its passage to a third reading,

S. B. No. 13, A bill to be entitled "An Act providing for the payment by the State of Texas of a monthly pension to indigent, widowed mothers for the partial support of their children in their own homes."

On motion of Mr. Williams of McLennan, further consideration of the bill was postponed until 2 o'clock p. m. tomorrow.

CONFERENCE COMMITTEE REPORT  
ON HOUSE BILL NO. 502.

Mr. Lange called up from the Speaker's table, for consideration at this time, the following report of the Conference Committee on House bill No. 502:

Conference Committee Room,  
Austin, Texas, March 12, 1917.

Hon. W. P. Hobby, President of the Senate, and Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, to consider House bill No. 502 with Senate amendments, beg leave to report as follows:

We have adjusted the differences that have arisen between the two houses by reason of the amendments attached to the bill by the Senate, and we recommend that the Senate rescind and that the House do not concur in Senate amendment No. 1; and that we recommend that the words "or who practice law without license" be stricken from Senate Concurrent Resolution No. 26.

We recommend, further, that the House concur in Senate amendments Nos. 2 and 3.

Respectfully submitted,

FISHER,  
LANGE,  
MENDELL,

On the part of the House.

BEE,  
CALDWELL,  
KING,  
HOPKINS,  
WESTBROOK,

On the part of the Senate.

Question—Shall the report be adopted?

On motion of Mr. Fairchild, further consideration of the report was postponed until tomorrow.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House  
of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate con-  
curs in House amendments to Senate bill  
No. 447.

The Senate adopts the report of the  
Conference Committee on House bill  
No. 502.

Respectfully,

G. H. BOYNTON,

Assistant Secretary of the Senate.

SENATE BILL NO. 368 ON THIRD  
READING.

On motion of Mr. O'Brien, the regular  
order of business was suspended, to take  
up and have placed on its third reading  
and final passage,

S. B. No. 368, A bill to be entitled  
"An Act to amend Article 6096, Chapter  
1, Title 101, of the Revised Civil Stat-  
utes of the State of Texas, pertaining  
to partitions and authorizing the par-  
tition of any real estate, or of any  
interest therein, or of any mineral, coal,  
petroleum, or gas lands, whether held in  
fee or by lease or otherwise, and declar-  
ing an emergency."

The Speaker laid the bill before the  
House, it was read third time and was  
passed.

Mr. O'Brien moved to reconsider the  
vote by which the bill was passed and  
to table the motion to reconsider.

The motion to table prevailed.

HOUSE JOINT RESOLUTION NO. 32  
ON SECOND READING.

The Speaker laid before the House,  
as postponed business, for consideration  
at this time,

H. J. R. No. 32, Proposing an amend-  
ment to Article 8, Section 9, of the Con-  
stitution of Texas, which section pro-  
vides for the levy and collection of taxes  
for various purposes, and for which  
amendment to said section provides for  
authority, upon vote of a majority of  
the qualified tax paying voters to levy  
and collect a tax for the construction or  
maintenance of public roads in defined  
or special road districts.

The resolution having been read sec-  
ond time on this morning.

Mr. Butler offered the following  
amendment to the resolution:

Amend House Joint Resolution No. 32  
by inserting next before the word "de-

fined" in line 33, page 1, the words "po-  
litical subdivision of a county."

Mr. O'Brien moved a call of the House  
for the purpose of maintaining a  
quorum pending consideration of the  
resolution, and the call was duly  
seconded.

The Speaker then directed the Door-  
keeper to close the main entrance to  
the Hall and instructed the Sergeant-  
at-Arms to lock all other doors leading  
from the Hall, and stated that no mem-  
ber would be permitted to leave the Hall  
without written permission from the  
Speaker.

Question recurring on the amendment  
by Mr. Butler, it was adopted.

(Mr. Mendell in the chair.)

Question then recurred on the resolu-  
tion.

The Clerk was directed to call the roll,  
and the resolution was passed to engross-  
ment by the following vote:

Yeas—90.

|                    |                   |
|--------------------|-------------------|
| Beard of Harris.   | Lee.              |
| Beard of Milam.    | Low               |
| Beasley.           | of Washington.    |
| Beason.            | McDowra.          |
| Bedell.            | McFarland.        |
| Blackburn.         | Martin.           |
| Blackmon.          | Meador.           |
| Blalock.           | Mendell.          |
| Boner.             | Metcalfe.         |
| Brown.             | Miller of Austin. |
| Burton of Rusk.    | Morris.           |
| Burton of Tarrant. | Neeley.           |
| Butler.            | Nichols.          |
| Cadenhead.         | Nordhaus.         |
| Canales.           | O'Brien.          |
| Cope.              | Osborne.          |
| Cox.               | Parks.            |
| Davis of Dallas.   | Pillow.           |
| Davis of Grimes.   | Poage.            |
| De Bogory.         | Reeves.           |
| Dodd.              | Richards.         |
| Dudley.            | Robertson.        |
| Fairchild.         | Russell.          |
| Florer.            | Sackett.          |
| Greenwood.         | Sentell.          |
| Haidusek.          | Schlesinger.      |
| Hardey.            | Scholl.           |
| Harris.            | Sholars.          |
| Hartman.           | Smith of Hopkins. |
| Hawkins.           | Smith of Scurry.  |
| Holland.           | Spencer of Nolan. |
| Hudspeth.          | Spradley.         |
| Johnson.           | Stewart.          |
| Jones.             | Templeton.        |
| Laas.              | Terrell.          |
| Lacey.             | Thomas.           |
| Laney.             | Thomason          |
| Lange.             | of El Paso.       |
| Lanier.            |                   |

|                 |              |
|-----------------|--------------|
| Thomason        | Veatch.      |
| of Nacogdoches. | White.       |
| Thompson        | Williams     |
| of Hunt.        | of Brazoria. |
| Thompson        | Williford.   |
| of Red River.   | Wilson.      |
| Tilson.         | Woods.       |
| Tinner.         | Woodul.      |
| Tschoepe.       | Yantis.      |
| Valentine.      |              |

Nays—10.

|          |            |
|----------|------------|
| Baker.   | Raiden.    |
| Bertram. | Sallas.    |
| Dunnam.  | Seawright. |
| Murrell. | Taylor.    |
| Neill.   | Trayler.   |

Present—Not Voting.

McComb.

Absent.

|           |                  |
|-----------|------------------|
| Bagby.    | Peddy.           |
| Bland.    | Roemer.          |
| Clark.    | Rogers.          |
| Denton.   | Spencer of Wise. |
| Estes.    | Swope.           |
| Fisher.   | Tillotson.       |
| Hill.     | Walker.          |
| Monday.   | Williams         |
| Moore.    | of McLennan.     |
| O'Banion. |                  |

Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | Lowe              |
| Bledsoe.      | of McMullen.      |
| Bryan.        | McCoy.            |
| Bryant.       | McMillin.         |
| Carlock.      | Miller of Dallas. |
| Cates.        | Peyton.           |
| Crudgington.  | Pope.             |
| Davis.        | Schlosshan.       |
| of Van Zandt. | Smith of Bastrop. |
| Fitzpatrick.  | Strayhorn.        |
| Fly.          | Upchurch.         |
| Lindemann.    | Wahrmund.         |

## HOUSE BILL NO. 460 ON THIRD READING.

On motion of Mr. Florer, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

H. B. No. 460, A bill to be entitled "An Act providing that in all incorporated cities and towns of this State having a population of fifty thousand inhabitants or more, according to the last United States census, and which maintain a regular police department, the patrolmen thereof, or those performing duties ordinarily performed by patrolmen shall be required to serve on

actual duty as patrolmen not longer than eight hours in every twenty-four hours; providing that in case of riot or other emergency such patrolmen shall perform such duty and for such time as the directing authority of the department shall require, and declaring an emergency."

The Speaker laid the bill before the House, and it was read third time.

Mr. Pillow offered the following amendment to the bill:

Amend House bill No. 460, line 21, by striking out the words "fifty thousand" and inserting in lieu thereof "thirty thousand."

Mr. Fairchild offered the following amendment to the amendment:

Amend the amendment by striking out "thirty thousand" and inserting "five thousand."

On motion of Mr. Florer, the pending amendments were tabled.

House bill No. 460 was then passed.

Mr. Florer moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

## SENATE BILL NO. 334 ON SECOND READING.

On motion of Mr. Scholl, the regular order of business was suspended, to take up and have placed on its second reading and passage to a third reading.

S. B. No. 334, A bill to be entitled "An Act to make an emergency appropriation for the purpose of purchasing and installing a storage tank and other facilities to store and convey oil from the Southwest Texas State Normal, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to a third reading.

Mr. Scholl moved to reconsider the vote by which the bill was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

## SENATE BILL NO. 250 ON THIRD READING.

On motion of Mr. Haidusek, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

S. B. No. 250, A bill to be entitled "An Act to amend Section 50a, Chapter 100, Acts of the Regular Session of the Thirty-second Legislature, relating to the



authority of commissioners courts to create county line school districts; so as to authorize boards of county school trustees to create such districts and prescribing the manner whereby such districts may be created, and declaring an emergency."

The Speaker laid the bill before the House, it was read third time and was passed.

Mr. Haidusek moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 582 ON THIRD READING.

On motion of Mr. Burton of Rusk, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

H. B. No. 582, A bill to be entitled "An Act regulating the manner of service of subpoenas issued in any civil or criminal action or upon any proceeding before an examining court, coroner's inquest, grand jury or before a judge hearing an application under habeas corpus, or in any case or matter where any witnesses may be summoned; authorizing the execution of such subpoena either by reading the same in the presence of the witness or by reading the same over the telephone, or by posting a certified copy of the same in the mails by registered letter; providing that no mileage shall be charged for the service had over the telephone or by mail; providing that expense of telephone calls, postage, and registration fees may be charged as costs; providing for personal service in event returned receipt is not received; providing that the parties, or their attorneys, or any court or grand jury may designate the method of service; providing for the making of return on such subpoena by the officer; repealing Article 3642 of the Revised Civil Statutes, 1911, and Article 527, Code of Criminal Procedure, 1911."

The Speaker laid the bill before the House, and it was read third time.

Mr. Burton of Rusk offered the following amendments to the bill:

(1)

Amend House bill No. 582 by striking out the word "residence" in line 3 of Section 2 of the engrossed bill, and inserting in lieu thereof the word "presence."

(2)

Amend House bill No. 582 by adding at the end of the caption thereof the following "and declaring an emergency."

The amendments were adopted.

Mr. Nordhaus moved to postpone further consideration of the bill until 2 o'clock p. m. next Friday.

On motion of Mr. Burton of Rusk, the motion to postpone was tabled.

Question recurring on the passage of the bill, yeas and nays were demanded.

The bill was passed by the following vote:

Yeas—52.

|                  |                   |
|------------------|-------------------|
| Baker.           | O'Brien.          |
| Beard of Milam.  | Osborne.          |
| Beason.          | Parks.            |
| Bedell.          | Peddy.            |
| Blalock.         | Pillow.           |
| Boner.           | Poage.            |
| Burton of Rusk.  | Raiden.           |
| Butler.          | Reeves.           |
| Cadenhead.       | Rogers.           |
| Cox.             | Russell.          |
| Davis of Dallas. | Sackett.          |
| De Bogory.       | Seawright.        |
| Dodd.            | Smith of Hopkins. |
| Florer.          | Smith of Scurry.  |
| Hardey.          | Stewart.          |
| Jones.           | Taylor.           |
| Lacey.           | Templeton.        |
| Laney.           | Terrell.          |
| Lee.             | Thomas.           |
| McComb.          | Thompson          |
| McDowra.         | of Hunt.          |
| Meador.          | Tilson.           |
| Morris.          | Veatch.           |
| Murrell.         | Wilson.           |
| Neill.           | Woods.            |
| Nichols.         | Yantis.           |
| O'Banion.        |                   |

Nays—45.

|                    |                   |
|--------------------|-------------------|
| Beard of Harris.   | Martin.           |
| Beasley.           | Mendell.          |
| Bertram.           | Metcalfe.         |
| Blackburn.         | Miller of Austin. |
| Blackmon.          | Nordhaus.         |
| Brown.             | Richards.         |
| Burton of Tarrant. | Roemer.           |
| Canales.           | Sallas.           |
| Cope.              | Schlesinger.      |
| Dudley.            | Scholl.           |
| Fairchild.         | Sholars.          |
| Fisher.            | Spencer of Nolan. |
| Greenwood.         | Spradley.         |
| Hartman.           | Thomason          |
| Hill.              | of Nacogdoches.   |
| Holland.           | Tinner.           |
| Hudspeth.          | Trayler.          |
| Laas.              | Tschoepe.         |
| Lange.             | Valentine.        |
| Lanier.            | Walker.           |
| McFarland.         | White.            |

Williams  
of Brazoria.  
Williams  
of McLennan.

Williford.  
Woodul.

Present—Not Voting.

Thompson of Red River.

Absent.

|                  |                  |
|------------------|------------------|
| Bagby.           | Low.             |
| Bland.           | of Washington.   |
| Clark.           | Monday.          |
| Davis of Grimes. | Moore.           |
| Denton.          | Neeley.          |
| Dunnam.          | Robertson.       |
| Estes.           | Sentell.         |
| Haidusek.        | Spencer of Wise. |
| Harris.          | Swope.           |
| Hawkins.         | Tillotson.       |
| Johnson.         |                  |

Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | McCoy.            |
| Bledsoe.      | McMillin.         |
| Bryan.        | Miller of Dallas. |
| Bryant.       | Peyton.           |
| Carlock.      | Pope.             |
| Cates.        | Schlosshan.       |
| Crudgington.  | Smith of Bastrop. |
| Davis         | Strayhorn.        |
| of Van Zandt. | Thomason          |
| Fitzpatrick.  | of El Paso.       |
| Fly.          | Upchurch.         |
| Lindemann.    | Wahrmund.         |
| Lowe          |                   |
| of McMullen.  |                   |

Mr. Burton of Rusk moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.  
(Speaker in the chair.)

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 407, "An Act amending Section 1, Chapter 67, Special Laws of Texas, Acts of the Thirty-first Legislature, Regular Session, entitled 'An Act creating the Hamlin Independent School District in Jones county, Texas, defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district, and declaring an emergency.'"

S. B. No. 11, "An Act to apportion the State of Texas into congressional districts, naming the counties composing the same, and providing for the election of a member of the Congress of the United

States from each district, and repealing all laws and parts of laws in conflict herewith."

S. B. No. 414, "An Act creating a more efficient road system for Grimes county, Texas, etc., and declaring an emergency."

S. B. No. 237, "An Act to amend Chapter 179 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, entitled 'An Act relating to employers' liability, and providing for the compensation of certain employees, and their representatives and beneficiaries, for personal injuries sustained in the course of employment, and for deaths resulting from such injuries, and to provide and determine in what cases compensation shall be paid, and to make the payment thereof more certain and prompt by the creation of an insurance association to insure and guarantee such payments and of an industrial accident board for the investigation of claims, and declaring an emergency.'"

S. B. No. 417, "An Act creating the Aspermont Independent School District in Stonewall county, Texas; defining its metes and bounds; vesting it with rights, powers, duties and privileges of independent school districts incorporated for free school purposes under the General Laws of this State; providing a board of trustees therefor; providing that the outstanding indebtedness of the Aspermont Independent School District as same was incorporated under the General Laws of this State shall be assumed by the Aspermont Independent School District, etc., and declaring an emergency."

S. B. No. 430, "An Act to amend special road law of Morris county, passed by the Thirty-first Legislature and amended at the Regular Session of the Thirty-fourth Legislature, etc., and declaring an emergency."

S. B. No. 109, "An Act to amend Article 2811, Chapter 14, Title 48, Revised Statutes of Texas, 1911, empowering the trustees of any school district upon petition of parents or guardians, to require said trustees to establish and maintain free kindergarten for the training of children between the ages of five and seven years, and to provide for trained kindergarten teachers."

S. B. No. 363, "An Act to prescribe the time of holding the terms of the district court in the various counties comprising the Thirty-eighth Judicial District of the State of Texas, and to repeal all laws in conflict therewith, and declaring an emergency."

HOUSE BILL NO. 91 ON SECOND  
READING.

On motion of Mr. Peddy, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 91, A bill to be entitled "An Act providing that in all suits of mandamus or injunction against any person holding any public office in this State, and in his official capacity, after final trial and judgment in the trial court, and after notice of appeal to the Court of Appeals or Supreme Court has been given, should such person vacate such office, such suit shall not abate; providing that his successor may be a party to such suits, by motion, and providing for costs, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Holland offered the following (committee) amendment to the bill:

Amend Section 1 of House bill No. 91, after the word "and" at the end of line 7, in said Section 1, by adding the following: "Showing in such motion that he has demanded such successor to such office to do or to refrain from doing such official act as such suit is based upon such successor has failed or refused to comply with such demand and."

The (committee) amendment was adopted.

House bill No. 91 was then passed to engrossment.

Mr. Holland moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

RECALLING SENATE BILL NO. 368  
FROM SENATE.

Mr. O'Brien moved that the Senate be requested to return Senate bill No. 368 to the House for further consideration.

The motion prevailed.

MOTION TO TAKE UP HOUSE BILL  
NO. 164.

Mr. Valentine moved to suspend the regular order of business, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 164, A bill to be entitled "An Act providing for the inspection of stationary and portable steam boilers; for the appointment of inspectors of such boilers; fixing salaries of such inspectors and providing for their traveling expenses; prescribing the manner

of inspection, fixing penalties for violation of same, and declaring an emergency."

The motion to suspend was lost.

HOUSE BILL NO. 732 ON SECOND  
READING.

On motion of Mr. Canales, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 732, A bill to be entitled "An Act making an appropriation of \$1799.66 for the purpose of supplementing existing appropriations and the payment of the salaries of certain employes, etc., in the Department of Superintendent of Public Buildings and Grounds for the months of February to August, 1917, both inclusive, fixing the salaries for such time and for the purpose of paying one-half the expense of certain paving, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 752 ON SECOND  
READING.

On motion of Mr. Cope, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 752, A bill to be entitled "An Act to validate all sales of public free school land, University land and asylum land which were made after forfeiture for non-payment of interest but prior to entry of such forfeiture on the account kept with the purchaser and all sales of said land which were made upon applications filed prior to the cancellation of a former sale for the failure of the owner to reside on the land, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

MOTION TO TAKE UP HOUSE BILL  
NO. 19.

Mr. Estes moved to suspend the regular order of business, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 19, A bill to be entitled "An Act relating to the legal and conventional or contractual interest rate in the State of Texas, and regulating and limiting the same; providing for the

forfeiture of both principal and interest upon any contract made, executed or delivered in violation thereof; providing penalties for the violation of the interest laws of Texas, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Yeas and nays were demanded, and the motion to suspend was lost by the following vote:

Yeas—38.

|                    |                 |
|--------------------|-----------------|
| Beard of Milam.    | Lanier.         |
| Bertram.           | Lee.            |
| Blalock.           | McFarland.      |
| Boner.             | Meador.         |
| Burton of Rusk.    | Mendell.        |
| Burton of Tarrant. | O'Banion.       |
| Butler.            | O'Brien.        |
| Canales.           | Parks.          |
| Clark.             | Peddy.          |
| Davis of Dallas.   | Reeves.         |
| Denton.            | Richards.       |
| Dodd.              | Sackett.        |
| Dunnam.            | Sallas.         |
| Estes.             | Sentell.        |
| Fairchild.         | Terrell.        |
| Florer.            | Thomason        |
| Hardey.            | of Nacogdoches. |
| Harris.            | Thompson        |
| Hawkins.           | of Hunt.        |
| Holland.           | Williford.      |

Nays—62.

|                   |                   |
|-------------------|-------------------|
| Beard of Harris.  | Pillow.           |
| Beasley.          | Poage.            |
| Beason.           | Robertson.        |
| Bedell.           | Roemer.           |
| Blackburn.        | Russell.          |
| Blackmon.         | Schlesinger.      |
| Brown.            | Scholl.           |
| Cadenhead.        | Seawright.        |
| Cope.             | Sholars.          |
| Davis of Grimes.  | Smith of Hopkins. |
| De Bogory.        | Smith of Scurry.  |
| Dudley.           | Spencer of Nolan. |
| Greenwood.        | Spradley.         |
| Hartman.          | Stewart.          |
| Hill.             | Taylor.           |
| Hudspeth.         | Templeton.        |
| Laas.             | Thomason          |
| Lacey.            | of El Paso.       |
| Laney.            | Thompson          |
| Lindemann.        | of Red River.     |
| McComb.           | Tillotson.        |
| McDowra.          | Tilson.           |
| Metcalfe.         | Tinner.           |
| Miller of Austin. | Tschoepe.         |
| Morris.           | Valentine.        |
| Murrell.          | Veatch.           |
| Neill.            | Walker.           |
| Nichols.          | White.            |
| Nordhaus.         | Williams          |
| Osborne.          | of Brazoria.      |

|              |         |
|--------------|---------|
| Williams     | Woods.  |
| of McLennan. | Woodul. |
| Wilson.      | Yantis. |

Present—Not Voting.

|         |         |
|---------|---------|
| Fisher. | Raiden. |
|---------|---------|

Absent.

|                |                  |
|----------------|------------------|
| Bagby.         | Martin.          |
| Baker.         | Monday.          |
| Bland.         | Moore.           |
| Cox.           | Neeley.          |
| Haidusek.      | Rogers.          |
| Johnson.       | Spencer of Wise. |
| Jones.         | Swope.           |
| Lange.         | Thomas.          |
| Low            | Traylor.         |
| of Washington. | Upchurch.        |

Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | Lowe              |
| Bledsoe.      | of McMullen.      |
| Bryan.        | McCoy.            |
| Bryant.       | McMillin.         |
| Carlock.      | Miller of Dallas. |
| Cates.        | Peyton.           |
| Crudgington.  | Pope.             |
| Davis         | Schlosshan.       |
| of Van Zandt. | Smith of Bastrop. |
| Fitzpatrick.  | Strayhorn.        |
| Fly.          | Wahrmund.         |

#### HOUSE BILL NO. 229 ON SECOND READING.

On motion of Mr. Bertram, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 229, A bill to be entitled "An Act to repeal Chapter 5 of the General Laws of the State of Texas, known as the 'Permanent Warehouse Law,' enacted at the Third Called Session of the Thirty-third Legislature."

The Speaker laid the bill before the House, and it was read second time.

Mr. Blalock moved the previous question on the engrossment of the bill, and the motion was not seconded.

Mr. Tillotson moved to postpone further consideration of the bill until Tuesday, March 20.

Mr. Raiden moved to table the motion to postpone, and the motion to table was lost.

Mr. Thomason of Nacogdoches moved as a substitute for the motion of Mr. Tillotson that further consideration of the bill be postponed until 2 o'clock p. m. next Friday.

Mr. Blalock moved the previous question on the pending motions and the en-

grossment of the bill, and the main question was ordered.

Question recurring on the motion of Mr. Thomason of Nacogdoches, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—64.

|                    |                   |
|--------------------|-------------------|
| Beard of Harris.   | McFarland.        |
| Beard of Milam.    | Martin.           |
| Beasley.           | Mendell.          |
| Beason.            | Metcalfe.         |
| Bedell.            | Miller of Austin. |
| Blackburn.         | Nichols.          |
| Blackmon.          | Nordhaus.         |
| Blalock.           | O'Brien.          |
| Boner.             | Osborne.          |
| Brown.             | Parks.            |
| Burton of Rusk.    | Pillow.           |
| Burton of Tarrant. | Richards.         |
| Butler.            | Sackett.          |
| Canales.           | Sallas.           |
| Clark.             | Schlesinger.      |
| Cope.              | Scholl.           |
| De Bogory.         | Seawright.        |
| Dudley.            | Sholars.          |
| Dunnam.            | Smith of Hopkins. |
| Estes.             | Smith of Scurry.  |
| Florer.            | Spencer of Nolan. |
| Greenwood.         | Spradley.         |
| Harris.            | Taylor.           |
| Hartman.           | Thomason          |
| Holland.           | of Nacogdoches.   |
| Jones.             | Thompson          |
| Laas.              | of Hunt.          |
| Laney.             | Tillotson.        |
| Lange.             | Tschoepe.         |
| Lamier.            | Valentine.        |
| Lee.               | Williams          |
| Lindemann.         | of McLennan.      |
| Low.               | Woods.            |
| of Washington.     | Yantis.           |

## Nays—37.

|                  |                  |
|------------------|------------------|
| Baker.           | Raiden.          |
| Bertram.         | Reeves.          |
| Cadenhead.       | Russell.         |
| Davis of Dallas. | Sentell.         |
| Davis of Grimes. | Spencer of Wise. |
| Denton.          | Stewart.         |
| Dodd.            | Templeton.       |
| Fairchild.       | Terrell.         |
| Hawkins.         | Thompson         |
| Hudspeth.        | of Red River.    |
| Lacey.           | Tilson.          |
| McComb.          | Tinner.          |
| McDowra.         | Traylor.         |
| Meador.          | Veatch.          |
| Morris.          | Walker.          |
| Murrell.         | White.           |
| Neeley.          | Williams         |
| Neill.           | of Brazoria.     |
| O'Banion.        | Wilson.          |
| Poage.           |                  |

## Absent.

|           |         |
|-----------|---------|
| Bagby.    | Monday. |
| Bland.    | Moore.  |
| Cox.      | Roemer. |
| Fisher.   | Rogers. |
| Haidusek. | Swope.  |
| Hardey.   | Thomas. |
| Hill.     | Woodul. |
| Johnson.  |         |

## Absent—Excused.

|               |                   |
|---------------|-------------------|
| Bell.         | McCoy.            |
| Bledsoe.      | McMillin.         |
| Bryan.        | Miller of Dallas. |
| Bryant.       | Peyton.           |
| Cates.        | Pope.             |
| Crudgington.  | Schlosshan.       |
| Davis         | Smith of Bastrop. |
| of Van Zandt. | Strayhorn.        |
| Fitzpatrick.  | Thomason          |
| Fly.          | of El Paso.       |
| Lowe          | Upchurch.         |
| of McMullen.  | Wahrmund.         |

## Paired.

Mr. Peddy (present), who would vote "nay," with Mr. Robertson (absent), who would vote "yea."

Mr. Williford (present), who would vote "nay," with Mr. Carlock (absent), who would vote "yea."

Mr. Miller of Austin moved to reconsider the vote by which the bill was postponed, and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate grants the request of the House for the return of Senate Concurrent Resolution No. 15 for further consideration.

Respectfully,

JOHN D. McCALL,  
Secretary of the Senate.

## HOUSE BILL NO. 222 ON SECOND READING.

On motion of Mr. Blackburn, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 222, A bill to be entitled "An Act to amend Article 4621, Chapter 32 of the General Laws of the Thirty-third Legislature of Texas, passed at the Regular Session thereof, being 'An Act



to amend Articles 4621, 4622, 4624, Title 68, Chapter 3, of the Revised Statutes of Texas, 1911, concerning the marital rights of parties, defining separate and community property of the husband and wife, conferring upon the wife the power to make contracts, authorizing suits on such contracts, giving the wife control over her separate property, placing limitations upon such control, giving her control over the rents from her separate real estate, interest on bonds and notes and dividends on stock owned by her, and over her personal earnings, exempting the same from debts contracted by her husband, providing that the joinder of the husband shall be necessary to a conveyance or encumbrance of the wife's lands, bonds, stock, except that upon the order of the district court she may convey the same without joinder of the husband, repealing Article 4625, Title 68, Chapter 3, of the Revised Statutes of Texas, 1911, and all other laws and parts of laws in conflict herewith, and declaring an emergency, by providing that when the husband shall have permanently abandoned the wife, or shall be insane, she may, upon order of the district court, encumber, transfer or convey her separate real estate, bonds and stocks, without the joinder of her husband in such encumbrance, transfer or conveyance, and by providing that in such instances, upon order of the district court, she may transfer and convey her separate real estate, without the joinder of her husband in such transfer or conveyance, whether such separate real estate be occupied and claimed by her as a homestead or otherwise, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to engrossment.

(Mr. Cope in the chair.)

#### HOUSE BILL NO. 372 ON THIRD READING.

On motion of Mr. Beasley, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

H. B. No. 372, A bill to be entitled "An Act conferring upon the State Revenue Agent power to require the lessees or users of any facility or thing furnished by any person, corporation, receiver, or association in pursuing any occupation taxed by Chapter 2, Title 126, of the Revised Statutes, 1911, or any amendment or supplement or extension thereof, and to require any per-

son, corporation, receiver, or association interested in, but not pursuing, any occupation so taxed, or interested in the subject of such occupation, to furnish information or sworn reports of information necessary to the enforcement of the payment of any tax levied under such laws, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed.

Mr. Beasley moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 268 ON THIRD READING.

On motion of Mr. Blackmon, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

S. B. No. 268, A bill to be entitled "An Act directing the State Superintendent of Public Instruction to require the county judges, county, city and town superintendents, county and city treasurers and depositories of school boards and other school officers and teachers certain reports relating to school funds and school affairs; providing that the State Superintendent shall furnish blanks for such purpose; providing a penalty for a failure on the part of such officers to make such reports within twenty days after required by the State Superintendent, and declaring an emergency."

The Speaker laid the bill before the House, it was read third time, and was passed.

Mr. Blackmon moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 464 ON SECOND READING.

On motion of Mr. Lee, the regular order of business was suspended, to take up and have placed on its second reading and passage to a third reading,

S. B. No. 464, A bill to be entitled "An Act to amend Chapter 141 of the General Laws enacted by the Thirty-third Legislature in 1913, approved by the Governor on April 7, 1913, being an act entitled 'An Act to carry into effect the provisions of the amendment to Section 51 of Article 3 of the State of Texas, adopted at an election in said State on the 5th day of November, A. D. 1912, and formally declared to be a part of said Constitution by a proclamation

of the Governor of said State, issued heretofore on the 30th day of December, A. D. 1912, etc., and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to a third reading.

(Speaker in the chair.)

#### HOUSE BILL NO. 481 ON SECOND READING.

On motion of Mr. Lanier, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 481, A bill to be entitled "An Act to amend Article 3944 of the Revised Statutes of Texas, 1911, for the issuance of citation and service thereof, relating to forcible entry and detainer; and, further, providing that in case the plaintiff shall file a bond in a sum in an amount to be fixed by the justice of the peace issuing such citation shall be placed in possession of the property unless the defendant shall within six days from the service of citation execute and deliver to the officer serving such citation a bond in a sum at least double the amount of the bond executed by the plaintiff and to be approved by said officer; conditioned that the defendant will pay all rent that may be due or owing at the time of the execution of said bond and all rent that may be due or owing when said case is finally tried, and all costs of suit in case judgment is rendered against him."

The Speaker laid the bill before the House, and it was read second time.

Mr. Williford offered the following amendment to the bill:

Amend House bill No. 481 by inserting after the word "peace," in line 33, the following: by striking out the words "not more than double" and insert the words "in a sum double the."

The amendment was adopted.

House bill No. 481 was then passed to engrossment.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 12, 1917.

Hon. F. O. Fuller Speaker of the House of Representatives.

Sir: I am instructed by the Senate to inform the House that the Senate has passed the following bills:

S. B. No. 310, A bill to be entitled "An Act prescribing the qualifications of the county superintendent of public instruction, fixing the salary of the

county superintendent, etc., and declaring an emergency," with engrossed rider.

S. B. No. 263, A bill to be entitled "An Act to amend Article 1033, Chapter 14, Title 22, of the Revised Civil Statutes of the State of Texas, adopted in 1911, so as to authorize the incorporation of towns or villages containing more than two hundred (200) and less than ten thousand (10,000) inhabitants," with engrossed rider.

S. B. No. 200, A bill to be entitled "An Act to prevent and punish the desecration or improper use of the flag of the United States of America, and declaring an emergency."

S. J. R. No. 7, A Joint Resolution to amend Section 1 of Article 8 of the Constitution of the State of Texas so as to exempt from taxation county and city bonds, school and road district bonds, vendor's lien notes, and other securities bearing a rate of interest of six per cent or less.

S. B. No. 186, A bill to be entitled "An Act to amend Section 1, Chapter 26 of the General Laws of the Thirty-third Legislature, 1913, State of Texas, more clearly defining some of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice; except to certain public officers named, and declaring an emergency."

Respectfully,

JOHN D. McCALL,  
Secretary of the Senate.

#### SENATE BILL NO. 381 ON THIRD READING.

On motion of Mr. Davis of Grimes, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

S. B. No. 381, A bill to be entitled "An Act to amend Article 735, Chapter 4, Title 12, of the Revised Criminal Statutes of 1911 of the State of Texas, relating to standards of feed-stuffs, and declaring an emergency."

The Speaker laid the bill before the House, it was read third time, and was passed.

#### HOUSE BILL NO. 388 ON SECOND READING.

On motion of Mr. Pilloy, the regular order of business was suspended, to take

up and have placed on its second reading and passage to engrossment.

H. B. No. 388, A bill to be entitled "An Act to amend Section 1, Chapter 26, of the General Laws of the Thirty-third Legislature, 1913, State of Texas, more clearly defining some of the duties of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice except to certain public officers named, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 691 ON SECOND READING.

On motion of Mr. Poage, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 691, A bill to be entitled "An Act to amend Articles 628 and 632 of Chapter 2, Title 18, of the Revised Civil Statutes of the State of Texas (1911 compilation), said chapter being Chapter 7 of the General Laws of the First Called Session of the Thirty-first Legislature, 1909, entitled 'An Act to authorize any county or political subdivision or other defined district of the county, upon a vote of two-thirds majority of the resident property taxpaying voters thereof who are qualified electors of such county or political subdivision or defined district of the county or political subdivision or defined district of the county to issue bonds or otherwise lend its credit in any amount not to exceed one-fourth of the assessed valuation of the real property of such county or political subdivision or defined district thereof, etc.,' and to add to said chapter Articles 637a, 637b, 637c, 637d, 637e, and 637f, providing that in any county wherein a road district or road districts have been formed or may hereafter be formed and have issued bonds for the purpose of constructing public roads, the commissioners court of the county shall, upon petition, submit to the qualified voters of the county the proposition as to whether or not bonds shall be issued for the purpose of purchasing or taking over the improved roads already constructed in said road district or districts and of further constructing, maintaining and operating macadam-

ized, graveled or paved roads and turnpikes throughout such county, requiring the commissioners court to set apart from such county issue bonds in sufficient amount to retire all outstanding district bonds, and prescribing the methods therefor either by exchange with the holder or holders of said district bonds or by depositing county bonds to the credit of such district or districts; providing for levy and collection of taxes for said county bonds and dispensing with taxes for said district bonds, authorizing the necessary adjustment of sinking funds, providing for the issuance and sale of county bonds in excess of the amount needed to retire the district bonds and for expenditure of funds thus realized, and prohibiting the overlapping of road districts or subdivisions of a county, providing for the proper investment of the sinking funds of road bonds, declaring the interest arising from any such investment shall become a part of the sinking fund and prohibiting the diversion of said interest and said sinking fund for any other purpose, making the same a criminal offense, and providing suitable punishment therefor, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 681 ON THIRD READING.

On motion of Mr. Pope, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

H. B. No. 681, A bill to be entitled "An Act to authorize the city council, board of aldermen, or other governing body of any city or town in this State, whether operating under special charter or the general law, to appropriate at the end of each fiscal year, so much of the net revenues of any waterworks system or other public utility system, service or enterprise owned by said city or town as such body shall deem to the best interest of said city or town, to the payment of the sinking fund and interest on the bonded indebtedness of such system, service or enterprise; such sum so appropriated to be used for no other purpose; providing for the levy of a tax for raising such sinking fund and interest where such appropriation is insufficient as herein provided, and declaring an emergency."

The Speaker laid the bill before the House, and it was read third time.

Question—Shall the bill be passed?

#### RECESS.

Mr. Nordhaus moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

Mr. Reeves moved that the House recess until 9:30 o'clock a. m. tomorrow.

Mr. Cope moved that the House recess to 8 o'clock p. m. today.

The motion of Mr. Cope prevailed, and the House, accordingly, at 5:50 o'clock p. m., took recess to 8 o'clock p. m. today.

#### NIGHT SESSION.

The House met at 8 o'clock p. m. and was called to order by the Speaker.

#### HOUSE BILL NO. 681 ON FINAL PASSAGE.

(Pending Business.)

The House resumed consideration of pending business, same being House bill No. 681, authorizing the appropriation of revenues derived by cities from public utility systems for the payment of the bonded indebtedness of said cities, on its final passage.

House bill No. 681 was then passed.

#### CALL OF THE HOUSE ORDERED.

Mr. Dudley moved a call of the House for the purpose of maintaining a quorum, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

#### SENATE BILL NO. 445 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 445, A bill to be entitled "An Act to create a more efficient road law for Mason county, Texas, by amending Chapter 67 of the Special Laws of the Thirty-second Legislature, 1911, and to provide for the appointment of a superintendent of public roads and bridges for Mason county, and to provide his qualifications, term of office, etc., and declaring an emergency."

The bill was read third time and was passed.

#### SENATE BILL NO. 471 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 471, A bill to be entitled "An Act to create the Lelia Lake Independent School District of Donley county, Texas, and declaring an emergency."

The bill was read third time and was passed.

Mr. Templeton moved to reconsider the vote by which the bill was passed, and asked to have the motion to reconsider spread upon the Journal.

#### SENATE BILL NO. 116 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 116, A bill to be entitled "An Act providing for the creation of the office of assistant district attorney for the Sixth Judicial District of Texas; defining the duties and qualifications of said office; fixing the bond and salary, and declaring an emergency."

The bill was read second time and was passed to a third reading.

#### HOUSE BILL NO. 825 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 825, A bill to be entitled "An Act creating the Alief Independent School District in Harris county, Texas, etc., and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 826 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 826, A bill to be entitled "An Act creating the Pandora Independent School District in Wilson county, Texas, etc., and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 793 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 793, A bill to be entitled "An Act to amend Section 9, Chapter 72, Laws of 1901, as amended by Chapter 119, Laws of 1913, entitled 'An Act to create a more efficient road system



for Karnes county, Texas, etc., and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 822 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 822, A bill to be entitled "An Act incorporating and reorganizing the Sealy Independent School District in Austin county, Texas, etc., and declaring an emergency."

The bill was read third time and was passed.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Taylor, it was ordered that House bill No. 836 be not printed.

On motion of Mr. Beason, it was ordered that Senate bill No. 387 be not printed.

On motion of Mr. Hawkins, it was ordered that House bill No. 557 be not printed.

On motion of Mr. Harris, it was ordered that House bill No. 841 be not printed.

#### HOUSE BILL NO. 831 ON THIRD READING.

On motion of Mr. Cope, by unanimous consent, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 831, A bill to be entitled "An Act setting aside the building now occupied and used as a General Land Office and located in Austin, Travis county, Texas, in order that the Daughters of the Republic and the Texas Division of the Daughters of the Confederacy might accumulate the mementos and relics, and preserve and perpetuate the history and traditions of the Southland of our commonwealth; providing how said building shall be used by the respective parties; making an appropriation for the repairing and remodeling of said building, and declaring an emergency."

The Speaker laid the bill before the House, it was read third time and was passed.

Mr. Cope moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 832 ON SECOND READING.

On motion of Mr. Mendell, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 832, A bill to be entitled "An Act to provide for the maintenance and keeping of private lots in cemeteries."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### SENATE BILL NO. 247 ON SECOND READING.

On motion of Mr. Dudley, the regular order of business was suspended to take up and have placed on its second reading and passage to a third reading,

S. B. No. 247, A bill to be entitled "An Act to amend Chapter 48 of the laws of the Regular Session of the Thirty-first Legislature, 1909, relative to the appointment of assistant district attorneys, prescribing the mode of appointment of district attorneys in districts containing a city of 39,000 population or more according to the United States census of 1910 and in which there is established no criminal district court, prescribing the qualification of such assistant district attorney, defining his duties and providing a method for his removal from office, fixing his salary, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Dudley offered the following (committee) amendment to the bill:

Strike out all Section 2 and substitute the following:

"Sec. 2. Said assistant district attorney shall be paid for the time of actual service rendered at the rate of the sum of \$2500 per annum out of excess fees collected by the district attorney of said county or out of the treasury of said county; said amount to be paid in monthly payments upon certificates of the district clerk and district judge of said district, that the said assistant district attorney has performed his duties and is entitled to pay."

The (committee) amendment was adopted.

Mr. Dudley offered the following amendments to the bill:

(1)

Amend lines 20 and 21, page 1, by striking out the words "Governor of the State



of Texas" and insert in lieu thereof "district attorney."

(2)

Amend line 25, page 1, by striking out all after the word "attorney" up to and including the word "nor" in line 26, and substitute in lieu thereof the words "shall furnish data to the district judge of his district."

(3)

Amend line 2, page 2, by striking out the word "Governor" and insert in lieu thereof "district attorney."

The amendments were severally adopted.

Senate bill No. 247 was then passed to a third reading.

Mr. Dudley moved to reconsider the vote by which the bill was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 456 ON SECOND READING.

On motion of Mr. Schlesinger, the regular order of business was suspended, to take up and have placed on its second reading and passage to a third reading.

S. B. No. 456, A bill to be entitled "An Act to provide a home for lepers, and to provide for the isolation, care and treatment of persons suffering with leprosy, and to make an appropriation therefor, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Cadenhead moved that further consideration of the bill be postponed until 2 o'clock p. m. tomorrow.

The motion prevailed.

#### HOUSE BILL NO. 360 ON SECOND READING.

On motion of Mr. McComb, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 360, A bill to be entitled "An Act establishing a Bureau of Vital Statistics for the Board of Health; providing for an adequate system for the registration of births and deaths in the State of Texas; providing penalties for the violation of any of the provisions of this act, making appropriation for the efficient enforcement of the same, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

Mr. McComb moved to reconsider the

vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 181 ON THIRD READING.

On motion of Mr. Spencer of Nolan, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

H. B. No. 181, A bill to be entitled "An Act conferring certain powers upon the commissioners courts of the counties of this State and authorizing said courts, under such regulations as they may prescribe, to appropriate and use any sum or sums of money not exceeding two thousand five hundred dollars per year for farmers' co-operative demonstration work and farm home demonstration work, in their respective counties along the same lines as this work is or may be conducted by the United States Department of Agriculture, and prescribing that they may conduct such work jointly in their respective counties with the agents and representatives of the United States Department of Agriculture upon such terms and conditions as may be agreed upon between the agents of the Department of Agriculture and the commissioners court, and declaring an emergency."

The Speaker laid the bill before the House, and it was read third time.

Mr. Spencer of Nolan offered the following amendment to the bill:

Amend the caption of House bill No. 181 by adding after the words "commissioners court," in line 18 of the printed bill, the following words: "repealing all laws and parts of laws in conflict herewith."

The amendment was adopted.

House bill No. 181 was then passed.

Mr. Spencer of Nolan moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### MOTION TO TAKE UP HOUSE BILL NO. 10.

Mr. Thompson of Hunt moved to suspend the regular order of business, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 10, A bill to be entitled "An Act providing for the registration of land titles in this State; prescribing the methods and procedure for registering deeds, mortgages and other liens,

assignments, transfers, releases and other muniments of title; prescribing forms for application, registration certificates and providing for recording of the same; providing four registrars and examiners, the amount of their official bond, and prescribing their duties; prescribing penalties for the violation of any of the provisions of this act, and declaring an emergency."

The motion to suspend was lost.

#### HOUSE BILL NO. 212 ON SECOND READING.

On motion of Mr. Tillotson, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 212, A bill to be entitled "An Act to create and establish a Texas Industrial School and Workshop for the Adult Blind of the State"; providing for a board to locate such institution and to manage its affairs; providing an appropriation, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Tillotson offered the following amendment to the bill:

Amend House bill No. 212 by striking out Section 6 and substituting the following new section:

"Section 6. Upon completion of the new buildings for the State Blind Asylum, the board of trustees of the said Blind Asylum are hereby directed to transfer and deliver control of the grounds and buildings now occupied by the said State Blind Asylum, situated near the intersection of Nineteenth Street and East Avenue, in the city of Austin, Travis county, Texas, to the board of managers of the said Texas Industrial Training School and Workshop for the Adult Blind, for the use of the said school and workshop. There is hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, the sum of fifty thousand (\$50,000) dollars, or so much thereof as may be necessary, for the establishment and equipment of the said Industrial Training School and Workshop for the Adult Blind, and its maintenance for the years 1917 and 1918. Of the sum so appropriated thirty thousand (\$30,000) dollars shall be available for the year 1917, and the remainder shall be available for the year 1918; provided, that if the full amount appropriated for the first year be not required and expended during that year, any residue shall be

available for the second year to effectuate the purposes of this act."

Signed—Tillotson, White, Miller of Austin.

The amendment was adopted.

House bill No. 212 was then passed to engrossment.

#### HOUSE BILL NO. 361 ON THIRD READING.

On motion of Mr. Smith of Scurry, by unanimous consent, the regular order of business was suspended, to take up and have placed on its third reading and final passage,

H. B. No. 361, A bill to be entitled "An Act to amend Sections 565 and 566, Code of Criminal Procedure of the State of Texas, to enable an indicted person to enter his plea of guilty and to proceed to serve his sentence when court is not in session in the particular county where venue would lie, and providing for the attendance of witnesses; fixing fees of the sheriff and witnesses and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, it was read third time and was passed.

Mr. Smith of Scurry moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### BILLS RECOMMENDED.

On motion of Mr. Williams or Brazoria, Senate bill No. 94 was recommended to the Committee on Revenue and Taxation.

On motion of Mr. Holland, House bill No. 819 was recommended to the Committee on Criminal Jurisprudence.

#### HOUSE BILL NO. 771 ON SECOND READING.

On motion of Mr. Bryant, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 771, A bill to be entitled "An Act requiring district courts to remain open for the transaction of business from day to day for the entire terms provided by law; prohibiting the judges of such court from closing same before the last day of the terms as fixed by law; and declaring an emergency."

The Speaker laid the bill before the

House, it was read second time and was passed to engrossment.

CONFERENCE COMMITTEE REPORT  
ON HOUSE BILL NO. 48.

Mr. Metcalfe called up from the Speaker's table, for consideration at this time, the following report of the conference committee on House bill No. 48:

Committee Room,  
Austin, Texas, March 10, 1917.

Hon. W. P. Hobby, President of the Senate, and Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed by your respective bodies to consider the amendments of the Senate to House bill No. 48, have had the same under consideration and beg to report that we have reached the following agreement:

Amend Section 1, line 3 of the engrossed bill by striking out the words "two dollars," and inserting in lieu thereof the word "one dollar."

Amend Section 2, line 1, by striking out the words "the scalps of said animals," and inserting in lieu thereof the following: "The hides, including scalps with both ears of wolves and wild cats and the scalps of jack rabbits." Amend Section 2 at the end of said section by adding the following: "Provided, further, that if any person shall knowingly make a false statement in the written affidavit required by this section of this act, he shall be deemed guilty of a misdemeanor and upon conviction thereof he shall be fined in any sum not less than \$50 and not more than two hundred dollars (\$200), and in addition thereto shall be sentenced to imprisonment in the county jail for not less than thirty days, nor more than sixty days and forfeit to each county all right to receive any bounty for any hides provided by him."

Amend Section 3, line 7, by adding after the word "scalp" the following: "and return said wolf and wild cat scalps and hides to the owner."

Amend Section 5, page 2, by striking out all of this section after the word "repealed" in line 2, and insert in lieu thereof the following: "Provided, that any person desiring to trap or hunt for wolves, wild cats or other predatory animals upon enclosed lands of another when said permission is not given by the owner or manager thereof, may upon making application to the commissioners court of

the county in which said person proposes to trap or hunt such predatory wild animals, and after said application is made as aforesaid then the commissioners court shall give notice to the owner of the land or his agent upon which said applicant desires to trap predatory wild animals by notifying said owner or his agent when said application will be heard by the court, and after giving full hearing to both the applicant and the owner of the land or his agent, the said court may, if it shall deem said person to be responsible and proper person, give the assent of said court to said applicant to hunt or trap predatory wild animals in said enclosure and said permit from said court shall be in writing and shall be sufficient authority for said applicant to hunt and trap predatory wild animals upon the premises mentioned in said permit, subject to be revoked by the court at any time it may deem proper, and it is further provided that any person who shall enter the enclosed lands of another for the purpose of hunting and trapping wolves or other predatory wild animals shall not camp within three hundred yards of any windmill, tank, water hole or other place where stock are accustomed to gather for the purpose of getting salt or drinking; nor shall any person throw any hide in any tank, water trough or water hole or leave the refuse or any animal nearer than three hundred yards of any trough, tank or water hole; and it is further provided that lands enclosed with a wolf-proof fence, and pastures containing two thousand acres or less shall be exempt from the provisions of this section, and the owner's written consent must be obtained before trapping shall be permitted therein. And any person violating any of the provisions of this section shall be fined in any sum not less than ten dollars nor more than one hundred dollars, and each day shall constitute a separate offense."

Amend the bill by adding after Section 6, Section 6a:

"Sec. 6a. Provided that there shall be expended out of the above appropriation by and under the direction of the Texas Live Stock Sanitary Commission the sum of twelve thousand and five hundred (\$12,500) dollars for the first year ending August 31, 1918, and twelve thousand and five hundred (\$12,500) dollars for the year ending August 31, 1919; said expenditures shall be for the purpose of paying trappers to destroy predatory wild animals and shall be expended under the direction of the Texas Live Stock Sanitary Commission in co-operation

with the trappers which shall be employed and paid by the United States, who shall be engaged in exterminating predatory wild animals in Texas."

HUDSPETH,  
BUCHANAN of Scurry,  
CLARK,  
CALDWELL,

On the part of the Senate.

METCALFE,  
TILSON,  
WOODUL,  
BEASLEY,  
SACKETT,

On the part of the House.

Question—Shall the report be adopted?

#### ADJOURNMENT.

On motion of Mr. Cope, the House, at 9:10 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

#### APPENDIX.

#### REPORTS OF COMMITTEE ON EDUCATION.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 834, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 838, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 840, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred Senate bill No. 473, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

#### REPORT OF COMMITTEE ON COMMERCE AND MANUFACTURES.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Commerce and Manufactures, to whom was referred Senate bill No. 316, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

LACEY, Vice-Chairman.

#### REPORT OF COMMITTEE ON GAME AND FISHERIES.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Game and Fisheries, to whom was referred House bill No. 841, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

BAKER, Chairman.

#### REPORT OF COMMITTEE ON JUDICIAL DISTRICTS.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Judicial Districts, to whom was referred Senate bill No. 387, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMPSON of Red River, Acting Chairman.

#### REPORTS OF COMMITTEE ON INSURANCE.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.



Sir: Your Committee on Insurance, to whom was referred Senate bill No. 287, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Martin has been appointed to make a full report thereon.

PILLOW, Chairman.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Insurance, to whom was referred Senate bill No. 384, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Russell has been appointed to make a full report thereon.

PILLOW, Chairman.

#### REPORT OF COMMITTEE ON MILITARY AFFAIRS.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Military Affairs, to whom was referred Senate bill No. 291, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Hartman has been appointed to make a full report thereon.

WOODUL, Vice-Chairman.

#### REPORT OF COMMITTEE ON PUBLIC LANDS AND LAND OFFICE.

Committee Room,

Austin, Texas, February 23, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Public Lands and Land Office, to whom was referred Senate bill No. 246, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Fly has been appointed to make a full report thereon.

POPE, Chairman.

#### REPORTS OF COMMITTEE ON REVENUE AND TAXATION.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 833, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

NEILL, Chairman.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred Senate bill No. 94, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

NEILL, Chairman.

#### REPORTS OF COMMITTEE ON ROADS, BRIDGES AND FERRIES.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House bill No. 836, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

LEE, Vice-Chairman.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 479, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

LEE, Vice-Chairman.

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 237, A bill to be entitled "An Act to authorize the commissioners courts of the several counties of Texas to create and establish water improve-



ment districts, to construct reservoirs, dams, canals, laterals, ditches, pumping plants and other internal improvements necessary to irrigation systems; to order and hold elections for the purpose of voting on irrigation propositions and establishment of such districts; and provide for the careful government and operation of such districts; and authorize such districts to issue bonds and assess property for taxation, and to levy and collect taxes in payment of bonds issued for such irrigation improvements and the maintenance thereof, and authorize such districts to levy assessments for the maintenance thereof, and to assess and collect taxes for the payment of bonds issued on interest thereof, and the expenses of assessing and collecting such taxes; authorizing the election of directors and assessors and collectors, and authorizing the appointment of all other necessary officers, attorneys, managers, engineers and employes of such district for the purpose of carrying into effect the provisions of this act; providing for determining the lands included in said district and the addition of other territory to same, and the exclusion of territory from same; granting right of eminent domain for such district and authorizing such districts to acquire by purchase, gift, grant or condemnation for such district, the title of any right of way and other necessary property, and providing for the payment therefor; providing for the acquiring of water rights for such districts, and providing for the distribution of water by such districts, and the sale of water; authorizing such districts to do all things necessary for the establishment and maintenance of such districts, and construction and maintenance of all necessary improvements, and to levy and collect assessments for the maintenance thereof; providing for the selection of depositories, for the maintenance of an office, for the keeping of books and accounts by such district; fixing a lien and penalties to enforce the collection of taxes; fixing a lien and penalty to enforce the collection of assessments; providing for the filing of suits to establish the validity of the formation of such districts, and providing for the Attorney General of the State to file answers in such proceedings, and fixing the venue of such actions; authorizing the addition of territory within two or more counties to establish districts, and authorizing the formation of districts including territory in two or more counties, providing for election in such district and the method of making returns and declaring the result of such

election; providing that suit may be instituted in the name of the State of Texas by the Attorney General; providing for the distribution of water among the water users of such districts; providing generally a complete system for the formation of water improvement districts, the governing of such districts, and the dissolution of such districts; providing that such districts may acquire existing drainage improvements and pay the debts of same; providing that such districts may construct drainage ditches and improvements and may construct levees and may pay for all such improvements; providing for the validation and continuing in force of all irrigation districts heretofore formed and now existing in the State of Texas; repealing an act of the Thirty-third Legislature, being Chapter 172 of said Acts of 1913 of the State of Texas, and declaring an emergency."

And find the same correctly engrossed.

RUSSELL, Vice-Chairman.

Committee Room,

Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 361, A bill to be entitled "An Act to amend Sections 565 and 566, Code of Criminal Procedure of the State of Texas, to enable an indicted person to enter his plea of guilty and to proceed to serve his sentence when court is not in session in the particular county where venue would lie, and providing for the attendance of witnesses; fixing fees of the sheriff and witnesses, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 825, A bill to be entitled "An Act creating the Alief Independent School District in Harris county, Texas, etc., and declaring an emergency."

H. B. No. 239, A bill to be entitled "An Act to diminish the civil jurisdiction of the county court of Falls county, Texas; conferring said civil jurisdiction upon the district court of said county and conforming the jurisdiction of said district court to said change; repealing all laws and parts of laws in conflict or inconsistent herewith, and declaring an emergency."

H. B. No. 826, A bill to be entitled "An Act creating the Pandora Inde-

pendent School District in Wilson county, Texas, etc., and declaring an emergency."

H. B. No. 837, A bill to be entitled "An Act making appropriation of the sum of twenty thousand (\$20,000) dollars or so much thereof as may be necessary to pay contingent expenses of the Thirty-fifth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

H. B. No. 504, A bill to be entitled "An Act requiring every repair shop of whatsoever kind, or garage, within this State engaged in the repairing, rebuilding or repainting of automobiles of every description, or repair shops engaged in electrical work in connection with automobiles of every description, to keep a register containing a complete and accurate description of every car upon which work is performed; providing what the register shall contain and how it shall be kept; providing a punishment for failure to comply, and declaring an emergency."

And find the same correctly engrossed.  
RUSSELL, Vice-Chairman.

Committee Room,  
Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 319, A bill to be entitled "An Act to amend Article 1974, Section 3, Chapter 59, page 113, of the General Laws of the State of Texas, passed by the Thirty-third Legislature at its Regular Session, relating to special instructions by the court,"

And find the same correctly engrossed.  
RUSSELL, Vice-Chairman.

Committee Room,  
Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 720, A bill to be entitled "An Act to amend Article 5118, Title 75, Chapter 1, of the Revised Civil Statutes of Texas, of 1911, so as to exempt from jury service all persons employed as mail carriers on rural free delivery routes established under and by virtue of the United States postal laws, and declaring an emergency."

H. B. No. 840, A bill to be entitled "An Act to increase the limits of the Talpa Independent School District, and declaring an emergency."

H. B. No. 831, A bill to be entitled "An Act setting aside the building now occupied and used as a General Land Office and located in Austin, Travis county, Texas, in order that the Daughters of the Republic and the Texas Division of the Daughters of the Confederacy might accumulate the mementos and relics, and preserve and perpetuate the history and traditions of the Southland of our commonwealth; providing how said building shall be used by the respective parties; making an appropriation for the repairing and remodeling of said building, and declaring an emergency."

H. B. No. 493, A bill to be entitled "An Act to amend Chapter 15, Title 71 of the Revised Civil Statutes of this State by adding, following Article 4954, a new Article 4955, and providing in substance that all provisions of the laws of this State applicable to life, fire, marine, inland, lightning or tornado insurance companies shall, so far as the same are applicable, govern and apply to all companies transacting any other kind of insurance business in this State, so far as they are not in conflict with the provisions of law made specially applicable thereto, and declaring an emergency."

H. B. No. 577, A bill to be entitled "An Act to prevent the introduction into and the dissemination in this State of insect pests and plant diseases injurious or harmful to plants and plant products, vesting the enforcement thereof in the Commissioner of Agriculture, and defining his powers and duties."

And find the same correctly engrossed.  
RUSSELL, Chairman.

Committee Room,  
Austin, Texas, March 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 568, A bill to be entitled "An Act making it an offense for any person who is treasurer of any school district in this State, or for any officer, director, stockholder, agent or employee of any corporation that is the treasurer or depository of any school district in this State to fraudulently take, misapply or convert to his own use any of

the money, property or other thing of value belonging to such district or to secrete the same with the intent to take, misapply or convert it to his own use, or to pay or deliver the same to any person knowing that he is not entitled to receive it, prescribing a penalty, and declaring an emergency."

H. B. No. 828, A bill to be entitled "An Act to create the Tahoka Independent School District in Lynn county, Texas, etc., and declaring an emergency."

And find the same correctly engrossed.  
DENTON, Chairman.

#### FORTY-SIXTH DAY.

(Tuesday, March 13, 1917.)

The House met at 9:30 o'clock a. m., pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called, and the following members were present:

|                    |                   |
|--------------------|-------------------|
| Bagby.             | Florer.           |
| Baker.             | Fly.              |
| Beard of Harris.   | Haidusek.         |
| Beard of Milam.    | Hardey.           |
| Beasley.           | Harris.           |
| Beason.            | Hartman.          |
| Bedell.            | Hawkins.          |
| Bertram.           | Hill.             |
| Blackburn.         | Holland.          |
| Blackmon.          | Hudspeth.         |
| Blalock.           | Jones.            |
| Bland.             | Laas.             |
| Bledsoe.           | Lacey.            |
| Boner.             | Laney.            |
| Brown.             | Lange.            |
| Bryan.             | Lanier.           |
| Bryant.            | Lee.              |
| Burton of Rusk.    | Lindemann.        |
| Burton of Tarrant. | Low               |
| Butler.            | of Washington.    |
| Cadenhead.         | McComb.           |
| Canales.           | McDowra.          |
| Carlock.           | McFarland.        |
| Clark.             | McMillin.         |
| Cope.              | Martin.           |
| Cox.               | Meador.           |
| Davis of Dallas.   | Mendell.          |
| Davis of Grimes.   | Metcalfe.         |
| Davis              | Miller of Austin. |
| of Van Zandt.      | Miller of Dallas. |
| De Bogory.         | Monday.           |
| Denton.            | Moore.            |
| Dodd.              | Morris.           |
| Dudley.            | Murrell.          |
| Dunnam.            | Neeley.           |
| Estes.             | Neill.            |
| Fairchild.         | Nichols.          |
| Fisher.            | Nordhaus.         |
| Fitzpatrick.       | O'Banion.         |

|                   |                 |
|-------------------|-----------------|
| O'Brien.          | Templeton.      |
| Osborne.          | Terrell.        |
| Parks.            | Thomas.         |
| Peddy.            | Thomason        |
| Peyton.           | of El Paso.     |
| Pillow.           | Thomason        |
| Poage.            | of Nacogdoches. |
| Pope.             | Thompson        |
| Raiden.           | of Hunt.        |
| Reeves.           | Thompson        |
| Richards.         | of Red River.   |
| Robertson.        | Tillotson.      |
| Roemer.           | Tilson.         |
| Rogers.           | Tinner.         |
| Russell.          | Trayler.        |
| Sackett.          | Tschoepe.       |
| Sallas.           | Valentine.      |
| Sentell.          | Veatch.         |
| Schlesinger.      | Walker.         |
| Scholl.           | White.          |
| Seawright.        | Williams        |
| Sholars.          | of Brazoria.    |
| Smith of Bastrop. | Williams        |
| Smith of Hopkins. | of McLennan.    |
| Smith of Scurry.  | Williford.      |
| Spencer of Nolan. | Wilson.         |
| Spencer of Wise.  | Woods.          |
| Spradley.         | Woodul.         |
| Stewart.          | Yantis.         |
| Taylor.           |                 |

Absent.

|            |        |
|------------|--------|
| Greenwood. | Swope. |
| Johnson.   |        |

Absent—Excused.

|              |             |
|--------------|-------------|
| Bell.        | McCoy.      |
| Cates.       | Schlosshan. |
| Crudgington. | Strayhorn.  |
| Lowe         | Upchurch.   |
| of McMullen. | Wahrmund.   |

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain, as follows:

O Thou all-merciful Father, from whom all blessings flow, to whom all honor is due, we pray Thee to reign supreme in our hearts, that we may be patriotic citizens, honest, earnest lawmakers, sympathetic friends, working in harmony together, for the glory of God and the good of our State. We pray in Jesus' name. Amen.

#### HOUSE BILL ON FIRST READING.

The following House bill, introduced today, was laid before the House, read first time, and referred to the Committee on Roads, Bridges and Ferries:

By Mr. Harris:

H. B. No. 843, A bill to be entitled "An Act amending Chapter 115, page 446, of the Special Laws of the Regular Session of the Thirty-third Legislature of